

THURSDAY, MAY 30, 1991

FIFTY-FIRST LEGISLATIVE DAY

The House met at 9:00 a.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Rep. Ridgeway, who also led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 98

Representatives present were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Wix, Wood, Mr. Speaker Naifeh -- 98.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Winningham on Wednesday, May 29, 1991; due to personal reasons.

REPORT OF COMMITTEE ON CALENDAR AND RULES
May 30, 1991

MR. SPEAKER: Your Calendar and Rules Committee reports that we have met and set the following bills on the **Regular Calendar** for **Thursday, May 30, 1991**: House Bill(s) No(s). 516, 1522 and 361.

PHILLIPS, Chair.

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RULES SUSPENDED

Rep. Purcell moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 413 out of order, which motion prevailed.

House Joint Resolution No. 0413 -- General Assembly, Adjournment, Recess -- Provides for recess on May 30 and reconvene on June 18, 1991. by *Purcell, *Chiles.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Purcell, the resolution was adopted by the following vote:

Ayes.	63
Noes.	32
Present and not voting.	2

Representatives voting aye were: Allen, Armstrong, Arriola, Bell, Bivens, Bragg, Buck, Byrd, Chiles, Chumney, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Gibson), DeBerry, Dixon, Ferguson, Fowlkes, Garrett, Givens, Hargrove, Head, Herron, Hillis, Holt, Hubbard, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Kent, King, Kisber, Love, Moore, Napier, Nuber, Odom, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), West, Whitson, Williams (Shelby), Windle, Wix, Mr. Speaker Naifeh -- 63.

Representatives voting no were: Anderson, Bittle, Callicott, Coffey, Copeland, Davis (Cocke), Davis (Knox), Duer, Gunnels, Haley, Halteman, Harrill, Hassell, Haun, Hill, Holcomb, Huskey, Joyce, Liles, McAfee, McDaniel, McKee, Meyer, Niceley, Peroulas Draper, Shirley, Sipes, Stamps, Venable, Walley, Williams (Union), Wood -- 32.

Representatives present and not voting were: Kernell, Knight -- 2.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. Purcell moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 412 out of order, which motion prevailed.

House Joint Resolution No. 0412 -- General Assembly, Adjournment, Recess -- Adjourns 1991 session on May 30, 1991, and reconvene January 14, 1992. by *Purcell, *Chiles.

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On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Purcell, the resolution was adopted by the following vote:

Ayes.	97
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Wix, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

MOTION

Rep. Copeland moved that the recess resolutions be held on the Clerk's desk and transmitted to the Senate after we act on the appropriations bill, which motion prevailed.

CONSENT CALENDAR

House Joint Resolution No. 0411 -- Memorials, Retirement -- William Estel Underwood.

House Bill No. 1629 -- Paris -- Levies temporary 15 cent property tax in Paris Special School District.

House Bill No. 1630 -- Obion County -- Enacts hotel/motel tax.

On motion, House Bill No. 1630 was made to conform with Senate Bill No. 1621.

On motion, **Senate Bill No. 1621**, on same subject, was substituted for House Bill No. 1630.

House Bill No. 1632 -- Kingsport -- Modifies charter provisions relative to lighting of streets. Amends Chapter 76, Private Acts of 1917, as amended.

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House Bill No. 1633 -- Tipton County -- Authorizes animal control program.

House Bill No. 1634 -- Tipton County -- Revises hotel/motel tax. Amends Chapter 127, Private Acts of 1988.

House Bill No. 1635 -- McMinn County -- Authorizes levy of privilege tax on certain hazardous waste facilities.

House Bill No. 1636 -- Pulaski -- Revises powers of mayor and police department. Amends Chapter 711, Private Acts of 1949, as amended.

House Bill No. 1637 -- Maury County -- Authorizes privilege tax on new development.

House Bill No. 1638 -- Maury County -- Enacts hotel/motel tax.

House Bill No. 1639 -- Lebanon -- Revises charter. Amends Chapter 644, Acts of 1911, as amended.

On motion, House Bill No. 1639 was made to conform with Senate Bill No. 1611.

On motion, **Senate Bill No. 1611**, on same subject, was substituted for House Bill No. 1639.

House Bill No. 1641 -- Cookeville -- Revises provisions for nominations for city council. Amends Chapter 542, Acts of 1903, as amended.

House Bill No. 1642 -- Hardeman County -- Authorizes privilege tax on operation of commercial facility separating hazardous substances generating hazardous waste as byproduct.

OBJECTION -- CONSENT CALENDAR

Objection(s) was/were filed to the following on the Consent Calendar:

House Bill No. 1642; by Rep. Walley.

Under the rules, House Bill No. 1642 was/were placed at the foot of the calendar for Tuesday, June 18, 1991.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills on the Clerk's desk be conformed and substituted for the appropriate House Bill, that all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

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Ayes.	93
Noes.	0
Present and not voting.	4

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Odom, Peroulas, Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullis, Turner (Hamilton), Turner (Shelby), Venable, West, Whitson, Williams (Shelby), Windle, Wix, Wood, Mr. Speaker Naifeh -- 93.

Representatives present and not voting were: Callicott, Nuber, Walley, Williams (Union) -- 4.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. DeBerry moved that all congratulatory and memorializing resolutions lying on the Clerk's desk be placed on a Special Consent Calendar, which motion prevailed.

REGULAR CALENDAR

House Bill No. 0771 -- Taxes -- Provides for tax exemption of certain pollution control improvements and facilities. Amends TCA, Title 67.

Further consideration of House Bill No. 771, previously considered on May 23, 1991, at which time it was reset to the Calendar for May 30, 1991.

Rep. Kisber moved that House Bill No. 771 be passed on third and final consideration.

Rep. Bragg moved to amend as follows:

Amendment No. 1

Amend House Bill No. 771 by adding the following new sections:

SECTION 1. Tennessee Code Annotated, Section 67-4-805, as amended by 1991 Tennessee Public Acts 37, is amended by substituting the following language for the

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first sentence of subsection (b), subdivision (2), item (C);

(C) Any net operating loss incurred for fiscal years ending on or after January 15, 1984 which is defined as the excess allowable deductions over total income allocable to this state for the year of the loss, and which may be carried and allowed in succeeding tax years until fully utilized in the next succeeding taxable year or years in which the taxpayer has net income, but in no case for more than fifteen (15) years after the taxable year in which the net operating loss occurs.

SECTION 2. Tennessee Code Annotated, Section 67-4-808, is amended by substituting the following language for subsection (3)(C);

(C) any unused credit incurred for fiscal years ending on or after March 15, 1982 may be carried forward in any tax period for fifteen (15) years or until such credit is taken.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Kisber moved that House Bill No. 771, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	92
Noes.	4

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas, Draper, Phillips, Pinion, Pruitt, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Sipes, Stamps, Tindell, Tullios, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Wix, Wood, Mr. Speaker Naifeh -- 92.

Representatives voting no were: Rhinehart, Shirley, Williams (Union), Windle -- 4.

A motion to reconsider was tabled.

House Bill No. 1464 -- Public Records -- Establishes procedures

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for recordation and records management of leases by secretary of state and commissioner of finance and administration. Amends TCA, Title 4, Ch. 15; Title 10, Ch. 7; Title 12, Ch. 2, 29-20-109; Title 62, Chs. 2, 6; Title 68, Ch. 18.

Further consideration of House Bill No. 1464, previously considered on May 29, 1991, at which time it was reset to the Calendar for May 30, 1991.

On motion, House Bill No. 1464 was made to conform with Senate Bill No. 669.

On motion, **Senate Bill No. 669**, on same subject, was substituted for House Bill No. 1464.

Rep. Purcell moved that **Senate Bill No. 669** be passed on third and final consideration.

On motion, Rep. Love withdrew State and Local Government Committee Amendment No. 1.

Rep. Love moved adoption of State and Local Government Committee Amendment No. 2 as follows:

Amendment No. 2

AMEND Senate Bill No. 669 by adding the following language at the end of the amendatory language of Section 3:

Leases which have been in existence for more than twenty (20) years on the effective date of this act may be disposed of pursuant to such guidelines established by the public records commission. Prior to disposing of all other leases, the leases shall be microfilmed and the microfilm shall be preserved pursuant to the provisions of §10-7-303(e).

AND FURTHER AMEND by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. Tennessee Code Annotated, Section 10-7-303(e), is amended by adding the following language at the end of the subsection:

The microfilm records of leases required to be microfilmed prior to disposition pursuant to the provisions of §12-2-108(c) shall be forever preserved.

On motion, Amendment No. 2 was adopted.

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Thereupon, Rep. Purcell moved that **Senate Bill No. 669**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	96
Noes.	1

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Sipes, Stamps, Tindell, Tullis, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Wix, Wood, Mr. Speaker Naifeh -- 96.

Representatives voting no were: Shirley -- 1.

A motion to reconsider was tabled.

***House Bill No. 0303 -- Taxes -- Enacts "Tax Reform Law of 1991". Amends TCA, Titles 57, 67.**

Further consideration of House Bill No. 303, previously considered on May 16, 1991, at which time Amendment No. 1, as amended, was adopted; it failed for lack of a constitutional majority and was re-referred to the Calendar and Rules Committee, which placed it on the Calendar for May 30, 1991.

Rep. Bragg moved that House Bill No. 303 be reset to the next available space to the Calendar for June 18, 1991, which motion prevailed.

***Senate Bill No. 1409 -- Financial Disclosure -- Revises campaign finance, lobbyists, and conflict of interest disclosure filing requirements.**

Further consideration of Senate Bill No. 1409, previously considered on May 29, 1991, at which time it was substituted for House Bill No. 1308; Amendments Nos. 1, 2, 5 and 8 were withdrawn; Amendment Nos. 3, 4, 6 and 7 were adopted, and the bill was reset to the Calendar for May 30, 1991.

Rep. Kisber moved that **Senate Bill No. 1409** be passed on third and final consideration.

Rep. Bivens moved to amend as follows:

Amendment No. 9

Amend Senate Bill No. 1409 by deleting in its entirety the new section added by Amendment No. 6 which reads as follows:

Section _____. Tennessee Code Annotated, Title 3, Chapter 6, Part 1, is amended by adding the following language as a new, appropriated designated section:

Section _____. While serving as a member of a state regulatory board, commission, or entity, no person shall engage in any activity which requires registration as a lobbyist under the provisions of this chapter. Any person who violates the provisions of this section is guilty of a misdemeanor.

Rep. Niceley moved that Amendment No. 9 be tabled, which motion failed by the following vote:

Ayes.	41
Noes.	50
Present and not voting.	2

Representatives voting aye were: Allen, Anderson, Armstrong, Byrd, Callicott, Chiles, Copeland, Curlee, Davis (Cocke), Davis (Knox), Dixon, Duer, Gunnels, Haley, Halteman, Harrill, Hassell, Haun, Hill, Holcomb, Hubbard, Huskey, Jones R (Shelby), Jones U (Shelby), Joyce, King, Liles, McKee, Meyer, Napier, Niceley, Pruitt, Shirley, Stamps, Tindell, Tullos, Venable, Walley, Williams (Union), Windle, Wood -- 41.

Representatives voting no were: Arriola, Bell, Bittle, Bivens, Bragg, Buck, Chumney, Clark, Coffey, Cole, Crain, Cross, Davidson, Davis (Gibson), DeBerry, Ferguson, Givens, Hargrove, Herron, Hillis, Holt, Jackson, Kent, Kernell, Kisber, Knight, Love, McAfee, McDaniel, Moore, Odom, Peroulas Draper, Phillips, Pinion, Purcell, Rhinehart, Ridgeway, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Sipes, Turner (Hamilton), Turner (Shelby), West, Whitson, Williams (Shelby), Wix, Mr. Speaker Naifeh -- 50.

Representatives present and not voting were: Collier, Fowlkes -- 2.

Rep. Rhinehart moved the previous question, which motion prevailed.

Rep. Bivens renewed his motion to adopt Amendment No. 9, which motion prevailed by the following vote:

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Ayes.	58
Noes.	36
Present and not voting.	2

Representatives voting aye were: Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Chumney, Clark, Coffey, Cole, Collier, Cross, Curlee, Davidson, Davis (Gibson), DeBerry, Ferguson, Givens, Hargrove, Herron, Hillis, Holt, Jackson, Kent, Kernell, King, Kisber, Knight, Love, McAfee, McDaniel, McKee, Moore, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Sipes, Tindell, Turner (Hamilton), Walley, West, Whitson, Williams (Shelby), Wood, Mr. Speaker Naifeh -- 58.

Representatives voting no were: Allen, Byrd, Callicott, Chiles, Copeland, Crain, Davis (Cocke), Davis (Knox), Dixon, Duer, Fowlkes, Garrett, Gunnels, Haley, Halteman, Harrill, Hassell, Haun, Hill, Holcomb, Hubbard, Huskey, Jones R (Shelby), Jones U (Shelby), Joyce, Liles, Meyer, Niceley, Shirley, Stamps, Tullos, Turner (Shelby), Venable, Williams (Union), Windle, Wix -- 36.

Representatives present and not voting were: Johnson, Napier -- 2.

Thereupon, Rep. Kisber moved that **Senate Bill No. 1409**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	93
Noes.	5

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Wood, Mr. Speaker Naifeh -- 93.

Representatives voting no were: Head, Jones R (Shelby), Jones U (Shelby), Niceley, Wix -- 5.

A motion to reconsider was tabled.

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REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from no to aye on Senate Bill No. 1409 and have this statement entered in the Journal.

Rep. Floyd Crain

PRESENT IN CHAMBER

Representative(s) Les Winningham was/were recorded as being present in the Chamber.

REGULAR CALENDAR, CONTINUED

House Bill No. 1309 -- Financial Disclosure -- Makes substantive changes to campaign finance and lobbyists disclosure laws. Amends TCA, Title 2, Ch. 10; Title 3, Ch. 6; Title 8, Ch. 50; Title 12, Ch. 2.

Further consideration of House Bill No. 1309, previously considered on May 29, 1991, at which time it was reset to the Calendar for May 30, 1991.

Rep. Kisber moved that **House Bill No. 1309** be re-referred to the Calendar and Rules Committee, which motion prevailed.

***House Bill No. 0062** -- Veterans -- Authorizes issuance of special plates for military personnel evading capture. Amends TCA, Title 55, Ch. 4, Pt. 2.

Further consideration of House Bill No. 62, previously considered on May 29, 1991, at which time it was reset to the Calendar for May 30, 1991.

Rep. Hillis moved that House Bill No. 62 be passed on third and final consideration.

On motion, Rep. Robinson (Davidson) withdrew Transportation Committee Amendment No. 1.

On motion, Rep. Robinson (Davidson) withdrew Transportation Committee Amendment No. 2.

On motion, Rep. Robinson (Davidson) withdrew Transportation Committee Amendment No. 3.

Rep. Hillis moved to amend as follows:

Amendment No. 4

AMEND House Bill No. 62 by deleting subitem (E) of the

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amendatory language of Section 1 in its entirety and by substituting instead the following new language:

(E) "Enemy Evadee", as certified by the department of veterans affairs;

AND FURTHER AMEND by deleting subsection (a) of Section 2 in its entirety and by substituting instead the following new language:

(a) Owners or lessees of motor vehicles who are residents of the state of Tennessee and who are "evadees" certified as such by the department of veterans affairs, or their widows or widowers, shall be issued two (2) license plates, for either two (2) automobiles, or two (2) trucks of one-half (1/2) or three-quarter (3/4) ton rating, or any combination thereof, by the department of revenue, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and upon paying the regular fee applicable to the vehicles and the cost of producing the special plates, provided that the fee results in a revenue neutral fee for such plates, and as provided in Section 55-4-203. The application shall be accompanied by orders or a statement of discharge from the appropriate branch of the United States armed forces, certified by the department of veterans affairs, classifying the applicant as an "enemy evadee", or in the case of an application by a widow or widower for continuation of a license plate or plates held by a deceased spouse enemy evadee, a copy of the death certificate.

AND FURTHER AMEND by deleting the word "free" from subsection (b) of Section 2.

AND FURTHER AMEND by deleting from subsection (b) of Section 2 the word "EVADEE" and by substituting instead the words "ENEMY EVADEE".

AND FURTHER AMEND by deleting subsection (e) of Section 2 in its entirety and by substituting instead the following new language:

(e) For the purposes of this part, "enemy evadees" shall be defined as veterans of the United States armed forces who, in time of war, successfully evaded capture behind enemy lines and many of whom joined local indigenous personnel in resisting enemy forces. To qualify for classification as an "enemy evadee", the applicant must submit to the department of revenue orders or a statement of discharge from the appropriate branch of the United States armed forces, certified by the department of veterans affairs, classifying such applicant as an "enemy evadee" along with the application for a special license

plate under this section.

AND FURTHER AMEND by deleting the amendatory language of Section 3 in its entirety and by substituting instead the following new language:

and Section 55-4-242 pertaining to "enemy evadees" as certified by the department of veterans affairs.

AND FURTHER AMEND by adding the following language as a new subsection at the end of Section 2:

() The provisions of this act shall not be construed to mean that any person certified as an "enemy evadee" shall be prevented from exchanging a regular type plate for one of special design, provided the appropriate fees are paid. The whole or parts of the fee for a special registration plate shall not be refunded for the exchange of a regular plate.

On motion, Amendment No. 4 was adopted.

Rep. Robinson (Davidson) moved to amend as follows:

Amendment No. 5

Amend House Bill No. 62 by adding the following new sections to precede the effective date section:

SECTION _____. Tennessee Code Annotated, Section 55-4-236(a), is amended by adding the language and punctuation "Legion of Valor Silver Cross," after the word and punctuation "of Honor,".

SECTION _____. Tennessee Code Annotated, Section 55-4-236, is amended by adding the following as new subsection (b) and by relettering the existing subsection (b) and subsequent subsections accordingly:

(b)(1) To be eligible to receive a Legion of Valor Silver Cross special plate, a person must present proper application that such person is a recipient of a Legion of Valor Silver Cross award or is a recipient of two (2) of any of the following awards:

- (1) Medal of honor;
- (2) Distinguished Service Cross recipient;
- (3) Navy Cross recipient; or
- (4) Air Force Cross recipient.

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(2) The special plates provided for in this subsection shall carry the legend "VALOR" and shall bear such letters and numerals as the department of safety shall prescribe; provided, however, that no two (2) recipients shall receive identical plates.

SECTION _____. Tennessee Code Annotated, Section 55-4-202(c)(8), is amended by adding the following new subdivision to be appropriately designated:

() Legion of Valor Silver Cross recipient;

On motion, Amendment No. 5 was adopted.

Rep. Hillis moved to amend as follows:

Amendment No. 6

AMEND House Bill No. 62 by deleting in its entirety the first sentence of subsection (a) of the amendatory language of Section 2, and by substituting instead the following language:

Owners or lessees of motor vehicles who are residents of the state of Tennessee and who are "evadees" certified as such by the department of veterans affairs, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and upon paying the regular fee applicable to the vehicle and as provided in Tennessee Code Annotated, Section 55-4-203, shall be issued two (2) license plates, for either two (2) automobiles, or two (2) trucks of one-half (1/2) or three-quarter (3/4) ton rating, or any combination thereof, by the department of revenue.

AND FURTHER AMEND by adding the following language as a new subsection at the end of Section 2:

() The provisions of this act shall not be construed to mean that any person certified as an "evadee" shall be prevented from exchanging a regular type plate for one of special design, provided the appropriate fees are paid. The whole or parts of the fee for a special registration plate shall not be refunded for the exchange of a regular plate.

AND FURTHER AMEND by deleting the word "free" from subsection (b) of Section 1.

On motion, Amendment No. 6 was adopted.

Rep. Hillis moved to amend as follows:

Amendment No. 7

Amend House Bill No. 62 by adding the following language as a new section to be appropriately designated:

SECTION ____ . Each recipient of a special military plate may apply an appropriate decal to the plate which designates the military unit in which he or she served and/or the purpose for which such special plate has been issued. The decal, and the placement of the decal, shall be subject to the approval of the commissioner of safety and the commissioner of veterans' affairs. The cost of such decal shall be borne by the recipient of the plate wishing to apply such decal.

On motion, Amendment No. 7 was adopted.

Thereupon, Rep. Hillis moved that **House Bill No. 62**, as amended, be passed on third and final consideration. Rep. Gunnels requested that all members voting in the affirmative be added as sponsors, which motion prevailed. House Bill No. 62 was passed, as amended, by the following vote:

Ayes.	97
Noes.	0
Present and not voting.	2

Representatives voting aye were: Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 97.

Representatives present and not voting were: Allen, Turner (Shelby) -- 2.

A motion to reconsider was tabled.

***House Joint Resolution No. 0231 -- Highway Signs -- Removes SR 297 in Scott County from designation as "Bruno Gernt Highway".**

Further consideration of House Joint Resolution No. 231, previously considered on May 29, 1991, at which time it was reset to the Calendar for May 30, 1991.

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Rep. Winningham moved that House Joint Resolution No. 231 be adopted, which motion prevailed by the following vote:

Ayes.	92
Noes.	1
Present and not voting.	5

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Shirley, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, West, Whitson, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 92.

Representatives voting no were: Windle -- 1.

Representatives present and not voting were: Fowlkes, Severance, Sipes, Walley, Williams (Union) -- 5.

A motion to reconsider was tabled.

House Bill No. 0516 -- Alcoholic Beverages -- Removes bond requirements for licensees. Repeals TCA 57-3-209.

On motion, House Bill No. 516 was made to conform with Senate Bill No. 308.

On motion, **Senate Bill No. 308**, on same subject, was substituted for House Bill No. 516.

Rep. King moved that **Senate Bill No. 308** be passed on third and final consideration.

Rep. King moved passage of **Senate Bill No. 308** on third and final consideration, which motion failed by the following vote:

Ayes.	38
Noes.	54
Present and not voting.	5

Representatives voting aye were: Armstrong, Bragg, Buck, Chiles, Chumney, Clark, Cole, Collier, Copeland, Crain, Davidson, Davis (Gibson), DeBerry, Dixon, Fowlkes, Garrett, Head, Hillis, Jones R (Shelby), Jones U (Shelby), Kent, Kernell, Kisber, Love, Napier, Odom, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Rinks, Robinson (Davidson), Robinson (Hamilton), Tindell, Williams

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(Shelby), Wix, Mr. Speaker Naifeh -- 38.

Representatives voting no were: Allen, Anderson, Arriola, Bell, Bivens, Byrd, Callicott, Coffey, Cross, Curlee, Davis (Cocke), Davis (Knox), Duer, Ferguson, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Herron, Hill, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Joyce, McAfee, McDaniel, McKee, Meyer, Moore, Niceley, Nuber, Peroulas Draper, Pinion, Rigsby, Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tullos, Turner (Hamilton), Venable, Walley, West, Williams (Union), Winningham, Wood -- 54.

Representatives present and not voting were: Bittle, Knight, Liles, Whitson, Windle -- 5.

Having received a constitutional majority in the negative, pursuant to **Rule No. 63**, the Speaker entertained a motion to reject Senate Bill No. 308. Hearing none, the Speaker re-referred Senate Bill No. 308 to the Calendar and Rules Committee.

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to **Rule No. 31**, I wish to express a desire to change my original stand from aye to no on Senate Bill No. 308 and have this statement entered in the Journal.

Rep. John Mark Windle

MESSAGE CALENDAR

MOTION TO RECONSIDER

Rep. Holcomb moved to lift from the table the motion to reconsider Senate Bill No. 64, which motion prevailed.

Senate Bill No. 0064 -- Firearms and Ammunition -- Removes requirement that weapons must be carried with intent to go armed on school property or in public parks in order to be unlawful. Amends TCA, Title 39, Ch. 17, Pt. 13.

Rep. Holcomb moved to reconsider our action in passing Senate Bill No. 64, which motion prevailed.

Rep. Williams (Shelby) moved to amend as follows:

Amendment No. 6

Amend Senate Bill No. 64 by deleting the amendatory language of Section 1(c) and by substituting instead the following:

(c) It is an offense for any person to possess or carry, whether openly or concealed, any firearm, explosive,

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explosive weapon, bowie knife, hawk bill knife, ice pick, dagger, slingshot, leaded cane, switchblade knife, blackjack, knuckles or any other weapon of like kind, not used solely for instructional or school-sanctioned ceremonial purposes, in any public or private school building or bus, on any public or private school campus, grounds, recreation area, athletic field or any other property owned, used or operated by any board of education, school, college or university board of trustees, regents or directors for the administration of any public or private educational institution. Provided, however, it shall not be an offense under this subsection for a non-student adult to possess a weapon if such weapon is contained within a private vehicle operated by the adult and is not handled by such adult, or by any other person acting with the expressed or implied consent of such adult, while such vehicle is on school property.

Rep. Knight moved to amend as follows:

Amendment No. 1 to Amendment No. 6

Amend Senate Bill No. 64 by deleting the last sentence of the amendment and by substituting instead the following:

Provided, however, it shall not be an offense under this subsection for a non-student adult to possess a weapon if such weapon is secured in a locked private vehicle or in a locked compartment or container within the private vehicle operated by the adult and is not handled by such adult, or by any other person acting with the expressed or implied consent of such adult, while such vehicle is on school property.

Rep. Holcomb moved that Amendment No. 1 to Amendment No. 6 be tabled, which motion prevailed by the following vote:

Ayes.	49
Noes.	28
Present and not voting.	4

Representatives voting aye were: Allen, Armstrong, Arriola, Bell, Bittle, Buck, Callicott, Chiles, Clark, Cole, Collier, Cross, Davidson, Davis (Cocke), Davis (Knox), Dixon, Duer, Ferguson, Garrett, Givens, Gunnels, Haley, Halteman, Head, Herron, Hill, Hillis, Holcomb, Hubbard, Huskey, Jackson, Kent, Liles, McKee, Meyer, Napier, Niceley, Rhinehart, Robinson (Hamilton), Robinson (Washington), Shirley, Tullos, Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Wood -- 49.

Representatives voting no were: Anderson, Bivens, Byrd, Chumney, Curlee, Fowlkes, Hargrove, Hassell, Jones R (Shelby),

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Joyce, Kisber, Knight, Love, McAfee, McDaniel, Nuber, Purcell, Rinks, Robinson (Davidson), Severance, Sipes, Stamps, Tindell, Turner (Hamilton), Turner (Shelby), Windle, Winningham, Mr. Speaker Naifeh -- 28.

Representatives present and not voting were: Bragg, Crain, Johnson, Phillips -- 4.

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to **Rule No. 31**, I wish to express a desire to change my original stand from no to aye on the motion to table Amendment No. 1 to Amendment 6 on Senate Bill No. 64 and have this statement entered in the Journal.

Rep. John Mark Windle

MESSAGE CALENDAR, CONTINUED

Rep. Buck moved to amend as follows:

Amendment No. 2 to Amendment No. 6

Amend Senate Bill No. 64 by deleting the word "explosive" and the word "slingshot".

On motion, Amendment No. 2 to Amendment No. 6 was adopted.

CHAIR TO DEBERRY

Mr. Speaker Naifeh relinquished the Chair to Rep. DeBerry, Speaker Pro Tempore.

MESSAGE CALENDAR, CONTINUED

Rep. Williams moved to adopt Amendment No. 6, as amended.

Rep. Clark moved that Amendment No. 6, as amended, be tabled, which motion failed by the following vote:

Ayes.	36
Noes.	47
Present and not voting.	8

Representatives voting aye were: Allen, Arriola, Bell, Bittle, Clark, Davidson, Davis (Knox), DeBerry, Dixon, Ferguson, Fowlkes, Garrett, Hargrove, Hassell, Head, Herron, Kernell, Kisber, Knight, Niceley, Peroulas Draper, Pinion, Purcell, Rigsby, Rinks, Robinson (Hamilton), Shirley, Tindell, Turner (Hamilton), Turner (Shelby), Walley, Williams (Shelby), Williams (Union), Windle, Winningham, Mr.

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Speaker Naifeh -- 36.

Representatives voting no were: Anderson, Armstrong, Bivens, Buck, Byrd, Callicott, Chiles, Chumney, Cole, Collier, Curlee, Duer, Givens, Gunnels, Haley, Halteman, Hill, Hillis, Holcomb, Holt, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, King, Liles, Love, McAfee, McDaniel, McKee, Meyer, Napier, Nuber, Odom, Phillips, Robinson (Davidson), Robinson (Washington), Sipes, Stamps, Tullos, Venable, West, Whitson, Wix, Wood -- 47.

Representatives present and not voting were: Bragg, Crain, Cross, Davis (Cocke), Haun, Huskey, Rhinehart, Severance -- 8.

Thereupon, Rep. Williams (Shelby) renewed the motion to adopt Amendment No. 6, as amended.

Rep. Rhinehart moved that Senate Bill No. 64 be placed on the next available space on the next available calendar [June 18, 1991]. which motion prevailed.

MOTION TO RECESS

Rep. Rhinehart moved that, pursuant to **Rule No. 76**, as amended, the House stand in recess until 1:30 p.m., which motion prevailed.

RECESS EXPIRED

The recess having expired, the House was called to order by Mr. Speaker Naifeh.

On motion of Rep. Purcell, the roll call was dispensed with.

MESSAGE CALENDAR, CONTINUED

HOUSE ACTION ON SENATE AMENDMENT

***House Bill No. 0486** -- Economic and Community Development -- Authorizes creation of local neighborhood development corporations in certain counties. Amends TCA, Title 13, Ch. 13.

Senate Amendment No. 2

AMEND House Bill No. 486 by deleting from the directory language of Section 5(d) the language "Section 13-13-104(c)(4)" and by substituting instead the language "Section 13-13-104(a)(4)".

AND FURTHER AMEND by deleting from the directory language of Section 5(e) the language "Section 13-13-104(c)(7)" and by substituting instead the language "Section 13-13-104(a)(7)".

AND FURTHER AMEND by deleting from the directory language

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of Section 5(f) the language "Section 13-13-104(c)(9)" and by substituting instead the language "Section 13-13-104(a)(9)".

AND FURTHER AMEND by deleting from the directory language of Section 5(g) the language "Section 13-13-104(c)(10)" and by substituting instead the language "Section 13-13-104(a)(10)".

Rep. Dixon moved that the House nonconcur in Senate Amendment(s) No(s). 2 to **House Bill No. 486**, which motion prevailed by the following vote:

Ayes.	91
Noes.	0
Present and not voting.	1

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Haley, Halteman, Hargrove, Harrill, Hassell, Herron, Hill, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas, Draper, Phillips, Pinion, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 91.

Representatives present and not voting were: Chumney -- 1.

HOUSE ACTION ON SENATE MESSAGE

Senate Bill No. 0715 -- Metropolitan Government -- Increases penalty for violation of adult entertainment laws from \$50 fine to Class C misdemeanor. Same as SB 788. Amends TCA, Title 7.

Rep. Odom moved that the House refuse to recede from its action in adopting Amendment(s) No(s). 3 to Senate Bill No. 715, which motion prevailed.

MOTION TO RECONSIDER

Rep. Odom moved to lift from the table the motion to reconsider Senate Bill No. 715, which motion prevailed.

Rep. Odom moved to reconsider action in passing Senate Bill No. 715, to which Rep. West objected. The motion to reconsider prevailed by the following vote:

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Ayes.	79
Noes.	8
Present and not voting.	2

Representatives voting aye were: Allen, Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Chiles, Chumney, Cole, Copeland, Cross, Curlee, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Haley, Halteman, Hassell, Haun, Head, Hill, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Kent, Kernell, King, Kisber, Knight, Liles, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Turner (Shelby), Venable, Walley, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 79.

Representatives voting no were: Arriola, Clark, Davidson, Gunnels, Hargrove, Tindell, Tulllos, West -- 8.

Representatives present and not voting were: Crain, Harrill -- 2.

On motion, the House reconsidered its action in adopting Amendment No. 2. On motion, Amendment No. 2 was withdrawn.

Rep. Odom moved that Senate Bill No. 715 be passed on third and final consideration, as amended, which motion prevailed by the following vote:

Ayes.	90
Noes.	1
Present and not voting.	4

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chumney, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Hassell, Haun, Head, Hill, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tulllos, Turner (Hamilton), Venable, Walley, West, Whitson, Williams (Shelby), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 90.

Representatives voting no were: Turner (Shelby) -- 1.

Representatives present and not voting were: Cole, Harrill, Williams (Union), Wix -- 4.

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A motion to reconsider was tabled.

REGULAR CALENDAR, CONTINUED

***House Bill No. 0361 -- Motor Vehicles, Titling and Registration**
-- Enacts "Mandatory Motor Vehicle Insurance Act of 1991". Amends TCA, Title 55.

Rep. Davis (Knox) moved that House Bill No. 361 be passed on third and final consideration.

Rep. Robinson (Davidson) moved to amend as follows:

Amendment No. 1

Amend House Bill No. 361 by deleting all language following the enacting clause and substituting instead the following new sections:

SECTION 1. Tennessee Code Annotated, Section 55-7-204, is amended by deleting the words and figures "forty feet (40)" and substituting instead the words and figures "forty-five feet (45)".

SECTION 2. This act shall take effect on becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Rep. Robinson (Davidson) moved to amend as follows:

Amendment No. 2

Amend House Bill No. 361 by deleting all language of the bill as amended following the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 55-7-206, as amended by Chapter 258 of the Public Acts of 1991, is amended by deleting the following language:

() Notwithstanding any provision of law to the contrary, a violation of Section 55-7-204, is a Class C misdemeanor, punishable only by a fine of one thousand dollars (\$1,000).

and by substituting instead the following:

() Notwithstanding the provisions of this section or any other provision of law to the contrary, there shall be no penalty for a violation of Tennessee Code Annotated, Section 55-7-204 from the effective date of this act until July 1, 1992. After July 1,

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1992, a violation of Tennessee Code Annotated, Section 55-7-204, is a Class C misdemeanor, punishable only by a fine of one thousand dollars (\$1,000).

SECTION 2. Between the effective date of this act and January 1, 1992, the department of safety shall conduct a study of all aspects of bus safety. By January 10, 1992, the commissioner shall file a copy of the results of such study with the House and Senate Transportation committees.

SECTION 3. This act shall take effect on becoming law, the public welfare requiring it.

On motion, Amendment No. 2 was adopted.

Rep. Buck moved to amend as follows:

Amendment No. 3

Amend House Bill No. 361 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. Tennessee Code Annotated, Section 55-10-403 is amended by deleting subsection (1) added by Chapter 355 of the Public Acts of 1991, such subsection reading as follows,

(1) Notwithstanding any other provision of law or rule of court to the contrary, a person shall be permitted to challenge the validity of any prior guilty plea conviction for a violation of Tennessee Code Annotated, Section 55-10-401, at any proceeding in which the state seeks to use such prior conviction to enhance the punishment for a subsequent violation of such section. Failure to comply with the requirements of Rule 11 of the Tennessee Rules of Criminal Procedure or the Tennessee Supreme Court decision of State v. Mackey, 553 S.W. 2d 337 (Tenn. 1977) shall be considered grounds for challenging the validity of any such prior guilty plea conviction.

and substituting instead the following:

(1) Notwithstanding any other provision of law or rule of court to the contrary, a person shall be permitted to challenge the constitutional validity, under the Tennessee Supreme Court decision of State v. Mackey, 553 S.W. 2d 337 (Tenn. 1977), and any other related state or federal decisions, of any prior guilty plea conviction for a violation of Tennessee Code Annotated, Section 55-10-401, at any proceeding in which the state seeks to use such prior conviction to enhance the punishment for a subsequent violation of such section.

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On motion, Amendment No. 3 was adopted.

Thereupon, Rep. Robinson (Davidson) moved that **House Bill No. 361**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	93
Noes.	0
Present and not voting.	4

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Haltaman, Hargrove, Harrill, Hassell, Haun, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 93.

Representatives present and not voting were: Head, Herron, Rhinehart, Wix -- 4.

A motion to reconsider was tabled.

SPECIAL CONSENT CALENDAR

House Resolution No. 0129 -- Memorials, Personal Occasion -- Jim and Helen Black, 50th anniversary. by *Windle.

Introduced; placed on special consent calendar.

House Joint Resolution No. 0414 -- Memorials, Interns -- Thomas A. Tansil. by *Purcell, *Herron.

Introduced; placed on special consent calendar.

House Joint Resolution No. 0415 -- Memorials, Interns -- Vinson F. Thompson, Jr. by *Purcell, *Pinion.

Introduced; placed on special consent calendar.

House Joint Resolution No. 0416 -- Memorials, Public Service -- Guy R. Jones. by *Purcell, *Wix.

Introduced; placed on special consent calendar.

Senate Joint Resolution No. 0280 -- Memorials, Personal Occasion

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-- Mr. and Mrs. Emmitt Goodman, 50th wedding anniversary.

Placed on special consent calendar.

Senate Joint Resolution No. 0283 -- Memorials, Interns -- Paula Fernandez.

Placed on special consent calendar.

Pursuant to **Rule No. 50**, Rep. Purcell moved that all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Special Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes.	97
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. Purcell moved that the rules be suspended so that Commissioner Manning and staff could be on the House floor during discussion of the appropriations bill, which motion prevailed.

REGULAR CALENDAR, CONTINUED

***House Bill No. 1522** -- Appropriations -- Makes appropriations to defray expenses of state government for fiscal year beginning July 1, 1991.

Rep. Bragg moved that House Bill No. 1522 be passed on third and final consideration.

Rep. Bragg moved that Finance, Ways and Means Committee Amendment No. 1 be withdrawn, which motion prevailed.

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Rep. Bragg moved adoption of Finance, Ways and Means Committee Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 1522 by deleting from Section 2, Item 8 of the bill, as introduced, the citation "Senate Bill No. /House Bill No. ,," and by substituting instead the new citation "Senate Bill No. 1524/House Bill No. 1523,".

AND FURTHER AMEND by deleting from Section 2, Item 10 of the bill, as introduced, the reference to "Chapter 686, Public Acts of 1990." and by substituting instead the new reference "Tennessee Code Annotated, Section 11-14-308."

AND FURTHER AMEND by deleting from Section 7, Item 11 of the bill, as introduced, the reference to "Section 1, Title III-18, Item 3.3," and by substituting instead the new reference "Section 1, Title III-18, Item 3.1,".

AND FURTHER AMEND by deleting from Section 8, Item 12 of the bill, as introduced, the reference to "Section 4, Title III-2, Item 6" and by substituting a new reference "Section 4, Title III-2, Item 5".

AND FURTHER AMEND by deleting from Section 41, Item 18 of the bill, as introduced, the reference to "Section 1, Title III-13, Item 5," and by substituting the new reference "Section 1, Title III-13, Item 6,".

AND FURTHER AMEND by deleting from Section 44, Item 5 of the bill, as introduced, the word "listedin" and by substituting instead the words "listed in".

AND FURTHER AMEND by deleting from Section 7, Item 2 of the bill, as introduced, the word "Stieglity" and by substituting instead the word "Stieglitz".

AND FURTHER AMEND by deleting from Section 34, Item 4 of the bill, as introduced, the word "Revolving" and by substituting instead the word "Revolving".

AND FURTHER AMEND by deleting from Section 8, Item 11 of the bill, as introduced, the words "To the State Planning Office and/or the Department of Safety" and by substituting instead the words "To the Department of Finance and Administration".

AND FURTHER AMEND by deleting in their entirety from Section 1, Title III-26, Department of Transportation, items 1.1, 1.2, 1.11, 2, 3.1 and 3.3 and substituting instead the following new items and by changing the sub-totals accordingly:

"1.1 Bureau of Operations	\$ 6,285,000.00
1.2 Field Engineering	17,417,000.00
1.11 State Highway Construction	350,815,000.00

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2.	Bureau of Planning and Development	\$12,938,000.00
3.1	Equipment Purchases and Operations	\$15,696,000.00
3.3	Headquarters	15,352,000.00"

AND FURTHER AMEND by adding a new sentence at the end of Section 2, Item 2 of the bill, as introduced, to read:

"The provisions of this item shall take effect upon becoming a law, the public welfare requiring it."

AND FURTHER AMEND by adding to Section 2 of the bill, as introduced, a new item to read:

"Item _____. From the capital outlay appropriation to the Department of Finance and Administration made in Section 1, Title III-25, of this act, the sum of \$500,000.00 intended for the Walters State Community College agricultural pavilion project shall be allocated to the East Tennessee Agribusiness Authority for site development at the East Tennessee Agricultural Resources Park."

AND FURTHER AMEND by adding to Section 3 of the bill, as introduced, a new item to read:

"Item _____. The appropriation to the Department of Financial Institutions in Section 1, Title III-12, shall be derived from banking fees assessed pursuant to Tennessee Code Annotated, Title 45, Chapter 1, Part 1. No part of the unexpended fees left at the end of the fiscal year shall be used for any other purpose but shall be carried over in a reserve and may be expended during the next year."

AND FURTHER AMEND by adding to Section 6 of the bill, as introduced, the following new items to read:

"Item _____. From the funds appropriated in Section 1, Title III-27, Item 4 for the amortization of authorized and unissued construction bonds, the sum of \$2,000,000.00 is appropriated in lieu of issuing bonds authorized for benefit of the Department of Agriculture under the provisions of Chapter 945, Public Acts of 1988. The State Funding Board shall take the necessary action to cancel the unissued bonds."

Item _____. To provide the debt service on ten million, six hundred thousand dollars (\$10,600,000.00) of the general obligation bond issue authorized under Senate Bill No. 563/House Bill No. 307, there is hereby appropriated a sum sufficient from funds available to the Department of Finance and Administration in the internal service fund for data processing services.

Item _____. To provide the debt service on six million, three hundred thousand dollars (\$6,300,000.00) of the general obligation bond issue authorized under Senate Bill

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No. 563/House Bill No. 307, there is hereby appropriated a sum sufficient from the wetlands acquisition funds available to the Tennessee Wildlife Resources Agency."

AND FURTHER AMEND by deleting from Section 7, Item 4 of the bill, as introduced, the words and figure "seventy-five thousand dollars (\$75,000.00)" and substituting instead the words and figure "sixty thousand dollars (\$60,000.00)".

AND FURTHER AMEND by adding to Section 7 of the bill, as introduced, the following new items to read:

"Item _____. From the appropriation made to the Tennessee Historical Commission in Section 1, Title III-5, the sum of \$100,000.00 is earmarked to fund the activities of the Tennessee Bi-Centennial Commission established by Executive Order and the funds shall be transferred accordingly by the Commissioner of Finance and Administration.

Item _____. From the appropriations made to the Department of Correction in this act, there is hereby appropriated a sum sufficient to implement the provisions of Senate Bill No. 1396/House Bill No. 1261.

Item _____. From the funds appropriated in Section 1, Title III-7 of this act to the Department of Correction for the County Correctional Incentive Program there is hereby appropriated an amount not to exceed \$150,000.00 to the Department of Audit, Division of County Audit to audit the program. This appropriation is subject to approval by the Commissioner of Finance and Administration.

Item _____. From the appropriations made in Section 1 and Section 4 of this act to the Department of Correction and the Department of Youth Development, a sum sufficient is hereby appropriated to authorize the continuation of an appropriate training program for the departments, including the continuing operation of the Correction Training Academy and its staffing of seventy-four (74) positions. This appropriation is made to prevent an interruption in training services to the departments pending the implementation of recommendations to be made by an interagency study committee review of the scope of training required by and delivered to Correction, Youth Development and other state agencies. This appropriation is subject to the approval of the Commissioner of Finance and Administration."

AND FURTHER AMEND by adding to Section 8, Item 8 of the bill, as introduced, a second sentence to read:

"In matters involving the Public Service Commission, Housing Development Authority, Wildlife Resources Agency, Financial Institutions, regulatory boards and other programs and agencies funded by earmarked or dedicated

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revenues, the sum sufficient appropriation shall be provided from said earmarked or dedicated revenues."

AND FURTHER AMEND by adding to Section 8 of the bill, as introduced, the following new items to read:

Item _____. To the Department of Health and Environment from the "Child Safety Fund" to administer and fund the provisions of Tennessee Code Annotated, Section 55-9-602(g)(7).

Item _____. To the Tennessee State Racing Commission to pay the costs associated with racing applications.

Item _____. Subject to the passage of Senate Bill No. 409/House Bill No. 1036, there is hereby appropriated a sum sufficient to the Department of Health and Environment, Division of Medicaid. This appropriation is subject to approval by the Commissioner of Finance and Administration who is further authorized to adjust departmental revenue allotments accordingly.

Item _____. Subject to the passage of Senate Bill No. 489/House Bill No. 1114, there is hereby appropriated a sum sufficient to the Department of Health and Environment, Division of Medicaid. This appropriation is subject to approval by the Commissioner of Finance and Administration who is further authorized to adjust departmental revenue allotments accordingly.

Item _____. Subject to the passage of Senate Bill No. 535/House Bill No. 537, there is appropriated to the Department of Safety a sum sufficient to cover the cost of adequate staffing and other operating costs of a program to enforce the motor vehicle title and salvage laws and inspection of rebuilt vehicles. This appropriation shall be funded by revenues collected under the provisions of Senate Bill No. 535/House Bill No. 537, and the appropriation is subject to approval by the Commissioner of Finance and Administration.

Item _____. Subject to the passage of Senate Bill No. 571/House Bill No. 774, there is appropriated to the Department of Conservation a sum sufficient from revenues available to the Local Park Land Acquisition Fund and to the State Lands Acquisition Fund, and there is further appropriated to the Department of Agriculture a sum sufficient from revenues available to the Agricultural Nonpoint Water Pollution Control Fund.

Item _____. Subject to the passage of Senate Bill No. 685/House Bill No. 50, there is appropriated to the Health Facilities Commission a sum sufficient from revenues collected by the Commission.

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Item _____. Subject to the passage of Senate Bill No. 408/House Bill No. 815, there is appropriated to the Department of Safety a sum sufficient to cover the cost of adequate staffing and other operating costs of a program to enforce the suspending or denying the motor vehicle operator's license of persons found to have committed certain prohibited acts involving alcohol. This appropriation shall be funded by revenues collected under the provisions of Senate Bill No. 408/House Bill No. 815, and the appropriation is subject to approval by the Commissioner of Finance and Administration.

Item _____. In addition to the appropriations made in Sections 1 and 4 of this act, there is hereby appropriated a sum sufficient to the Department of Commerce and Insurance to implement the provisions of each bill listed below. The appropriations shall not exceed the amount indicated for each bill, and each appropriation is subject to passage of the bill. The appropriations shall be funded from revenues collected under the provisions of each bill enacted. The appropriations are:

<u>Bill Number</u>	<u>Appropriation</u>
SB 97/HB 28	\$ 7,500.00
SB 220/HB 398	\$ 5,000.00
SB 221/HB 401	\$ 5,000.00
SB 681/HB 651	\$ 54,000.00
SB 753/HB 819	\$ 96,100.00
SB 820/HB 966	\$260,900.00
SB 899/HB 836	\$ 5,000.00
SB 935/HB 963	\$ 4,200.00
SB 1007/HB 826	\$ 2,900.00
SB 1012/HB 834	\$334,400.00
SB 1035/HB 429	\$ 50,700.00
SB 1068/HB 579	\$ 13,000.00
SB 1094/HB 741	\$ 6,000.00

This appropriation is subject to approval by the Commissioner of Finance and Administration.

Item _____. Subject to the passage of Senate Bill No. 1385/House Bill No. 1252, there is hereby appropriated a sum sufficient from revenues available under the provisions of the act. The Commissioner of Finance and Administration is authorized to allocate all revenues generated to the state under the provisions of Senate Bill No. 1385/House Bill No. 1252 to the agencies and departments involved with the implementation of the provisions of said bill. Further, from the funds appropriated by this act in Section 1 to appropriate executive branch departments and agencies, the Commissioner of Finance and Administration is authorized to transfer a sum sufficient not to exceed \$600,000 to the Department of Environment and Conservation, Tennessee State Planning Office, and Department of Revenue

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for purposes of administering Senate Bill No. 1385/House Bill No. 1252.

This appropriation is subject to the approval of the Commissioner of Finance and Administration."

AND FURTHER AMEND by deleting from Section 9 of the bill, as introduced, Item 7 in its entirety and by substituting a new Item 7 to read:

"Item 7. To the Office of Information Resources from the general obligation bonds/notes authorized under Chapter 875, Public Acts of 1986; Chapter 525, Public Acts of 1989; and Senate Bill No. 563/House Bill No. 307 or Senate Bill No. 1524/House Bill No. 1523 for data processing services."

AND FURTHER AMEND by adding to Section 9 of the bill, as introduced, a new item to read:

"Item _____. In addition to the appropriation made in Section 4 of this act in Title III-1, Item 2.1 to the District Attorneys General, there is hereby appropriated a sum sufficient not to exceed \$252,000 under the provisions of Tennessee Code Annotated, Section 36-5-107(3). This appropriation is subject to approval by the Commissioner of Finance and Administration."

AND FURTHER AMEND by adding to Section 10, Item 10 of the bill, as introduced, a new sentence at the end of the item to read:"Subject to approval by the Commissioner of Finance and Administration, there is hereby appropriated a sum sufficient to the Comptroller of the Treasury for additional staff resources for the Tax Relief Program during the first cycle in which income and property value limits are increased to \$12,000.00 and \$20,000.00 respectively."

AND FURTHER AMEND by adding to Section 12 of the bill, as introduced, the following new items:

"Item _____. Pursuant to Tennessee Code Annotated, Section 40-24-107(e)(2), there is appropriated to the Department of Human Services an amount not to exceed \$590,000 from interest income earned on balances in the Victims of Drunk Drivers Compensation Fund. It is the intent of the General Assembly that these funds be used for capital program development for new programs for victims of crime, including but not limited to, Child Advocacy Centers and Comprehensive Victim Services Programs.

Item _____. Pursuant to Tennessee Code Annotated, Section 40-24-107(e)(3), there is hereby appropriated to the Department of Human Services an amount not to exceed \$1,145,000 from revenue deposited to the Victims of Drunk Drivers Compensation Fund, such amount being revenues which are estimated to exceed claims presented for payment. It

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is the intent of the General Assembly that funds made available by this item be used to support and enhance services available to victims of child sexual abuse.

Item _____. There is hereby appropriated an amount not to exceed \$250,000.00 to the Department of Mental Health and Mental Retardation to purchase Hepatitis B vaccine for an employee immunization program."

AND FURTHER AMEND by adding to Section 15 of the bill, as introduced, a new item to read:

"Item _____. The Commissioner of Finance and Administration is authorized to transfer to the Department of General Services the funding, personnel and equipment associated with the operation of the central supply unit for the Department of Human Services and other such units operating in other agencies."

AND FURTHER AMEND by deleting from Section 29 of the bill, as introduced, Item 10 in its entirety and by substituting instead a new Item 10 to read:

"Item 10. There is hereby appropriated a sum sufficient to pay insurance claims filed by lending institutions under the provisions of the Guaranteed Student Loan Program and the costs associated with administering that program. Provided, however, such payments shall be made and such costs shall be paid from funds and reserves received and maintained by the Tennessee Student Assistance Corporation for the Guaranteed Student Loan Program and the State of Tennessee shall in no way be liable for such claims."

AND FURTHER AMEND by adding to Section 34 of the bill, as introduced, the following new items:

"Item _____. From the funds appropriated to the Department of Youth Development in Section 1, Title III-15, a sum sufficient is available to be transferred to Mountain View Developmental Center to accommodate operational expenses at the facility.

Item _____. From the funds appropriated to the Department of Revenue in Section 1, Title III-19, and to the Department of Safety in Section 1, Title III-21, a sum sufficient is available to be transferred to accommodate the expenses of the Titling and Registration Division which was transferred from Revenue to Safety effective July 1, 1990.

Item _____. From the funds appropriated to the Department of Health and Environment in Section 1, Title III-17, the Commissioner of Finance and Administration is authorized to make transfers between appropriation items for the purposes

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of providing funds to a) the Ground Water program, b) the Chronic Renal Disease program and c) meeting the department's requirements to the State Office Buildings and Support Facilities Revolving Fund.

Item _____. The appropriations made to the Medicaid Program under Section 1, Title III-17, are available for transfer between appropriation items. Said transfers are subject to approval by the Commissioner of Finance and Administration.

Item _____. From the funds appropriated to the judicial branch in Section 1, Title II, the Commissioner of Finance and Administration is authorized to transfer appropriations to the State Law Libraries.

Item _____. From the appropriations made to the Department of Human Services in Section 1, Title III-18, the Commissioner of Finance and Administration is authorized to make transfers between programs and units of the department and to adjust federal aid and other departmental revenue appropriations accordingly."

AND FURTHER AMEND by adding to Section 35 of the bill, as introduced, the following new items:

"Item _____. From the funds appropriated by the provisions of this act to the Department of Correction for Tennessee State Prison and DeBerry Correctional Institute, there is hereby authorized the transfer of funding and positions for the establishment of start-up operation of the Special Needs Facility at Nashville, subject to the approval of the Commissioner of Finance and Administration.

Item _____. From the funds appropriated by the provisions of this act to the Department of Correction for State Prosecutions under Section 1, Title III-7, Item 3, there is hereby authorized the transfer of funding for program expansions and position establishment for such alternative programs as would defer felons from incarceration in county facilities. Additionally, such funding may be used to off-set expenses associated with housing additional felons at Turney Center. This appropriation is subject to approval by the Commissioner of Finance and Administration.

Item _____. The appropriations made to the Medicaid Program under Section 1, Title III-17, are available for transfer between appropriation items. Said transfers are subject to approval by the Commissioner of Finance and Administration.

Item _____. From the funds appropriated in Section 1, Title III-17, and Section 4, Title III-18, to the Department of Health and Environment, the Commissioner of Finance Administration is authorized to make transfers

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between appropriation items for purposes of assuring compliance with new maintenance of effort and state matching requirements of the Maternal and Child Health Services Block Grant.

Item _____. From the funds appropriated to the Department of Mental Health and Mental Retardation in Section 1, Title III-14, Item 3.2, for Community Mental Retardation Programs, the Commissioner of Finance and Administration is authorized to transfer a sum sufficient to the Medicaid Program in the Department of Health and Environment to provide the State match for an expanded Medicaid waiver program for community services to the mentally retarded. Furthermore, the Commissioner of Finance and Administration may increase the interdepartmental revenue estimate for the Community Mental Retardation Program and increase federal aid revenue estimates for the Medicaid program in the Department of Health and Environment accordingly.

Item _____. From the appropriations made in Sections 1 and 4 of this act, the Commissioner of Finance and Administration, with the approval of the State Insurance Committee, is authorized to transfer appropriations and positions for the establishment of a State Wellness Program and coordination of a statewide Employee Assistance Program.

Item _____. From the appropriations made to the Department of Human Services in Sections 1 and 4, the Commissioner of Finance and Administration is authorized to transfer a sum sufficient a) to properly reflect administration of the day care delivery system; b) to the Division of Administration to properly reflect the efficiencies gained through implementation of the ACCENT family assistance program; and c) in the Social Services program to maximize collection of federal aid and other department revenue.

Item _____. From the appropriations made in Sections 1 and 4 of this act to the Department of General Services, Department of Agriculture and Department of Safety for purposes of the State Office Building and Support Facilities Revolving Fund, the Commissioner of Finance and Administration is authorized to transfer appropriations, positions and equipment between the departments to properly reflect the lease payments and responsibilities of the agencies."

AND FURTHER AMEND by adding to Section 36 of the bill, as introduced, the following new items:

"Item _____. The unexpended balance of the appropriations reappropriated to the Tennessee Advisory Commission on Intergovernmental Relations under Section 47, Item 2.

Item _____. The appropriation made to the Department of

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Agriculture under Section 1, Title III-3 for operation of the West Tennessee Agricultural Museum in Milan, Tennessee."

AND FURTHER AMEND by deleting from the bill, as introduced, Section 39 in its entirety and by substituting a new Section 39 to read:

"SECTION 39. The provisions of this section shall take effect upon becoming law, the public welfare requiring it. There is hereby appropriated from departmental revenues and federal aid funds the amounts hereinafter set out:

	1990-91	1991-92
District Attorneys General		
1. Executive Secretary	\$ 14,800	\$ 59,100
2. IV-D Child Support	115,100	678,300
Total District Attorneys General	\$ 129,900	\$ 737,400
Secretary of State		
1. Library and Archives	\$ 36,500	\$ 30,200
2. Regional Libraries	6,700	-
Total Secretary of State	\$ 43,200	30,200
Department of General Services		
1. Motor Vehicle Management	\$ -	\$ 870,000
2. Facility Support Services	-	265,000
Total General Services	\$ -	\$1,135,000
Department of Agriculture		
1. Plant Industries	\$ 226,200	\$ 168,500
2. Soil and Water Conservation	95,000	55,000
3. Technical Services	132,300	-
Total Agriculture	\$ 435,500	\$ 223,500
Department of Conservation		
1. Forestry	\$ 322,000	\$ 455,000
2. Geology	-	62,300
Total Conservation	\$ 322,000	\$ 517,300
Wildlife Resources Agency		
1. Boating	\$ 98,000	\$ -
Department of Education		
1. Elementary and Secondary Education- ESEA Chapter 1 and Chapter 2	\$13,674,900	\$ -
Higher Education		
1. Tennessee Higher Education Commission	\$ 6,600	\$ -
Department of Mental Health and Mental Retardation		
1. Administrative Services Division	\$ 58,600	\$ 108,900
2. Alcohol and Drug Abuse Services Administration	178,600	308,400

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3. Community Alcohol and Drug Abuse Services	5,352,600	1,425,300
4. Mental Health Services Administration	-	4,000
5. Community Mental Health Services	104,800	103,000
6. Mental Retardation Administration	-	32,700
Total Mental Health and Mental Retardation	\$5,694,600	\$1,982,300

Department of Youth Development		
1. Mountain View Developmental Center	\$ 62,200	\$ -

Department of Military		
1. Tennessee Air National Guard	\$ 17,000	\$ 56,000

Department of Health and Environment		
1. Health Care Facilities	\$ 368,000	\$ 368,000
2. Air Pollution Control	130,000	134,400
3. Construction Grants and Loans	3,341,000	8,441,000
4. Solid Waste Management	330,000	-
5. Hazardous Waste Remedial Action Fund	2,129,300	265,600
6. Underground Storage Tanks	-	218,000
7. Family Planning Services	531,500	531,500
8. Maternal and Child Health	86,300	119,300
9. Communicable Disease Control	1,055,700	690,700
10. Women, Infants and Children (WIC)	6,422,900	6,422,900
Total Health and Environment	\$14,394,700	\$17,191,400

Department of Human Services		
1. Division of Administration	\$ -	\$ 795,300
2. Family Assistance Services	240,900	-
3. Social Services	-	690,300
4. Community Services	-	10,519,600
5. Disability Determination	-	3,724,500
Total Human Services	\$ 240,900	\$15,729,700

Tennessee Bureau of Investigation		
1. Tennessee Bureau of Investigation	\$ -	\$ 453,500

Department of Safety		
1. Highway Patrol	\$ -	\$ 100,000
Total	\$35,137,500	\$37,021,300

The Commissioner of Finance and Administration is authorized to establish 135 full-time positions and 2 part-time positions and to allocate them to the appropriate organizational units. Any unexpended balances at June 30, 1991, of departmental revenues and federal aid funds appropriated in this section are hereby reappropriated in the fiscal year beginning July 1, 1991."

AND FURTHER AMEND by adding to Section 41, Item 11 of the bill, as introduced, a new sentence at the end of the item to read:

"Subject to the joint approval of the Director of the TBI and the Commissioner of Finance and Administration, a sum

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sufficient may be allocated from this appropriation for the beginning study of an integrated computer system for the Tennessee court system."

AND FURTHER AMEND by adding to Section 41 of the bill, as introduced, the following new items:

"Item __. Subject to the approval of the Commissioner of Finance and Administration and the State Treasurer, the separate trust account in the amount of \$150,000.00 established in the unclaimed property program prior to the enactment of Chapter 424, Public Acts of 1989, shall revert to the general fund balance at June 30, 1991.

Item __. In addition to the appropriations made to the Department of Safety in Section 4 of this act and in Section 4 of Chapter 1085, Public Acts of 1990, there is hereby appropriated a sum sufficient from the proceeds of property seized and forfeited under federal procedures which are shared with the department. This appropriation is subject to approval by the Commissioner of Finance and Administration. This appropriation shall not revert to the general fund at June 30, 1991, or June 30, 1992, but shall be reappropriated in the subsequent fiscal year.

Item __. There is hereby appropriated a sum sufficient from the Petroleum Underground Storage Tank Fund to pay for actuarial studies and management studies for the purpose of reviewing the fund. This appropriation is subject to approval by the Commissioner of Finance and Administration.

Item __. There is hereby appropriated a sum sufficient not to exceed \$50,000.00 to the Department of Finance and Administration for the purpose of funding a pilot program to attempt to enhance the collection of fines and costs in the Criminal and General Sessions courts of Sullivan County. The appropriation shall be funded from the additional revenues recovered under the pilot program and deposited with the state. The Commissioner of Finance and Administration shall report to the Finance, Ways and Means Committees and the Judiciary Committees of the Senate and House of Representatives after one year of operation of the pilot program.

Item __. In addition to the appropriations of departmental revenues made for environmental management to the Department of Health and Environment in Section 4, Title III-18, of this act and in Section 4, Title III-18 of Chapter 1085, Public Acts of 1990, there is hereby appropriated a sum sufficient to implement the provisions of the U. S. Department of Energy--Oak Ridge Environmental Oversight and Health Studies Agreements. This appropriation is subject to the approval of the Commissioner of Finance and Administration, and the Commissioner is authorized to allocate funds to the agencies and departments involved with the implementation of the program.

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Item ___. There is hereby appropriated a sum sufficient in the fiscal years ending June 30, 1991, and June 30, 1992, to the Department of Mental Health and Mental Retardation for alcohol and drug community services. Said appropriation shall be in lieu of the alcoholic beverage tax previously apportioned to the department, and the Commissioner of Finance and Administration shall reduce departmental revenue allotments in offsetting amounts.

Item ___. In Section 1, Title III-26, and Section 4, Title III-24, Department of Transportation, a sum sufficient is hereby appropriated to meet any change in federal match requirements and federal aid appropriations. To provide for a change in match requirements the Commissioner of Transportation is authorized to increase or decrease the affected federal aid appropriation items in Section 4, Title III-24, and to increase or decrease the necessary state matching appropriation items in Section 1, Title III-26. Any increase and offsetting reduction of appropriation items shall be subject to approval by the Commissioner of Finance and Administration and to notification in writing to the Chairmen of the Transportation Committees and Finance, Ways and Means Committees of the Senate and House of Representatives. It is the intent of the legislature to maximize federal aid funds available to the Department of Transportation.

Item ___. In the fiscal year ending June 30, 1991, there is hereby appropriated an amount not to exceed \$18,000,000.00 to the Department of Health and Environment, Division of Medicaid, in recognition of additional revenues available to the program. This appropriation is subject to approval by the Commissioner of Finance and Administration who is further authorized to adjust departmental revenue allotments accordingly.

Item ___. In the fiscal years ending June 30, 1991, and June 30, 1992, there is hereby appropriated a sum sufficient to the Department of Commerce and Insurance, Division of Regulatory Boards for the purpose of paying the premium costs for errors and omission insurance secured under the provisions of Tennessee Code Annotated, Section 62-13-112. This appropriation shall be funded by revenues collected for providing the coverage.

Item ___. In the fiscal year ending June 30, 1991, there is hereby appropriated a sum sufficient not to exceed \$200,000.00 for the purpose of funding studies to improve the effectiveness of state government. This appropriation is subject to the approval of the Commissioner of Finance and Administration.

Item ___. In the fiscal years ending June 30, 1991, and June 30, 1992, there is hereby appropriated a sum sufficient from the State Office Buildings and Support Facilities Revolving Fund for facilities review expenditures including consultant contracts. This appropriation is subject to the

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approval of the Commissioner of Finance and Administration."

AND FURTHER AMEND by adding to Section 48 of the bill, as introduced, the following new items:

"Item _____. From the funds appropriated to the Department of Transportation in Highway Maintenance, the Department is authorized, with the approval of the Commissioner of Finance and Administration, to establish not more than ninety-five (95) positions to staff the rest areas throughout the state.

Item _____. From the appropriations made in Section 1 and Section 4 of this act in Titles III-2 through III-21 and in Titles III-2 through III-22 respectively, the Commissioner of Finance and Administration is authorized to transfer appropriations for payroll equity balances between departments and agencies of the executive branch and to adjust federal aid and departmental revenue appropriations accordingly."

AND FURTHER AMEND by inserting in Section 48, Item 7.g) of the bill, as introduced, the words "the Department of Safety's " immediately preceding the words "motor vehicle enforcement activities".

AND FURTHER AMEND by adding a new section to the bill to read:

SECTION _____. Subject to the passage of Senate Bill No. 631/House Bill No. 1089, the appropriations to the Department of Health and Environment in Section 1, Title III-17, of this act, are reduced as follows:

Item	Amount
3.3 Radiological Health	\$941,400
3.4 Water Management	\$74,000
3.5 Solid Waste Management	\$946,800
Total	\$1,962,200

The Commissioner of Finance and Administration is authorized to reduce the appropriations further in recognition of any interest earnings loss to the general fund. Further, subject to passage of Senate Bill No. 631/House Bill No. 1089, appropriations of departmental revenues to the Department of Health and Environment in Section 4, Title III-18, of this act, are reduced as follows:

Item	Amount
3.1 Air Pollution Control	\$181,500
3.2 Radiological Health	\$90,600
3.4 Water Management	\$306,100
3.8 Ground Water	\$2,447,100
Total	\$3,025,300

Such funds are hereby reappropriated into the "Tennessee Environmental Protection Fund" created by Senate Bill No.

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631/House Bill No. 1089, along with any other revenues generated as the result of the provisions of the act. In establishing FY 1991-92 work programs for the Department of Environment and Conservation, the Commissioner of Finance and Administration shall reallocate these funds back to their respective environmental programs. Further the Commissioner of Finance and Administration shall also allocate from the Tennessee Environmental Protection Fund to the Department of Environment and Conservation estimates of FY 1991-92 revenues to be generated as the result of Senate Bill No. 631/House Bill No. 1089.

All provisions of this amendment are subject to passage of Senate Bill No. 631/House Bill No. 1089, and are subject to the approval of the Commissioner of Finance and Administration.

AND FURTHER AMEND by adding a new section to the bill to read:

SECTION ____ The provisions of this section shall take effect upon becoming a law, the public welfare requiring it. Capital outlay projects previously authorized and funded by the General Assembly, but which have not gone to bid for construction are hereby authorized to be cancelled subject to the following conditions:

1. The Revenue Fluctuation Reserve is depleted in closing the state's general fund at June 30, 1991.

2. The Commissioner of Finance and Administration shall submit a list of projects and remaining appropriation balances to be cancelled to the Finance, Ways and Means Committees of the Senate and House of Representatives for review and concurrence.

3. The Commissioner of Finance and Administration shall reduce appropriations in the capital projects fund for the cancelled projects and the funds shall be transferred to the general fund balance as of June 30, 1991.

AND FURTHER AMEND by deleting from Section 1, Title III-25 of the bill, as introduced, Items 1 through 10 in their entirety, and by substituting the following new items and total:

"1. Department of Finance and Administration		
1.1 Middle Tennessee Veterans' Cemetery	\$	200,000.00
1.2 Statewide Capital Maintenance		5,000,000.00
2. Department of Mental Health and Mental Retardation		
2.1 ADC-Addition/Renovation Redbud		500,000.00
Total Title III-25		\$5,700,000.00"

AND FURTHER AMEND by deleting from Section 1, Title III-27 of the bill, as introduced, Item 4 in its entirety, and by

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substituting a new Item 4 and by adjusting the total accordingly:

"4. Amortization of Authorized and Unissued Construction Bonds	35,733,000.00"
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AND FURTHER AMEND by deleting in its entirety Section 2, Item 8 of the bill as introduced, and by substituting a new Item 8 to read:

"Item 8. From the capital outlay appropriation to the Department of Finance and Administration made in Section 1, Title III-25 of this act, the sum of \$5,000,000.00 is for statewide capital maintenance. Subject to approval of the State Building Commission, the Commissioner of Finance and Administration is authorized to allocate and transfer these funds to approved projects."

AND FURTHER AMEND by adding to Section 2 of the bill, as introduced, a new item to read:

"Item _____. There is hereby appropriated a sum not to exceed \$150,000.00 from the highway fund balance to match federal funds for a capital outlay project to renovate the Knox County scales on the interstate highway system. This appropriation is subject to approval by the State Building Commission."

AND FURTHER AMEND by adding to Section 6 of the bill, as introduced, the following new items:

"Item _____. To provide the debt service on ten million, six hundred thousand dollars (\$10,600,000.00) of the general obligation bond issue authorized under Senate Bill No. 1524/ House Bill No. 1523, there is hereby appropriated a sum sufficient from funds available to the Department of Finance and Administration in the internal service fund for data processing services."

Item _____. To provide the debt service on six million, three hundred thousand dollars (\$6,300,000.00) of the general obligation bond issue authorized under Senate Bill No. 1524/ House Bill No. 1523, there is hereby appropriated a sum sufficient from the wetlands acquisition funds available to the Tennessee Wildlife Resources Agency."

AND FURTHER AMEND by deleting from Section 7, Item 7 of the bill, as introduced, the words and figure "four hundred fifty dollars (\$450.00)" and by substituting instead the words and figure "three hundred sixty dollars (\$360.00)".

AND FURTHER AMEND by deleting from Section 7, Item 12 of the bill, as introduced, the words and figure "six hundred dollars (\$600.00)" and by substituting instead the words and figure "four hundred eighty dollars (\$480.00)".

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AND FURTHER AMEND by deleting from Section 8 of the bill, as introduced, Item 22 in its entirety and by renumbering the subsequent items.

AND FURTHER AMEND by deleting from Section 10, Item 10 of the bill, as introduced, the words and figure "twelve thousand dollars (\$12,000.00)" and by substituting instead the words and figure "eight thousand two hundred dollars (\$8,200.00)".

AND FURTHER AMEND by deleting from Section 10 of the bill, as introduced, Item 15 in its entirety and by renumbering the subsequent items.

AND FURTHER AMEND by deleting from Section 10 of the bill as introduced, Item 29 in its entirety and by substituting a new item to read:

"Item _____. Out of funds appropriated to the Department of Transportation, there is hereby allocated \$11,600,000.00 to the Transportation Equity Fund, or such amount as may arise from tax revenues dedicated to this fund. If the amount in the fund is greater than \$15,000,000.00, then the Commissioner of Transportation shall apply to the finance committees of the Senate and House of Representatives through an expansion request for expenditure of any such additional funds. If the amount raised through the dedicated taxes is less than \$11,600,000.00 then only the amount raised through such dedicated taxes may be expended. Further, there is hereby transferred a sum not to exceed \$3,400,000.00 from the highway fund balance to the general fund balance from revenues allocated in the 1991-92 fiscal year. There is further transferred a sum not to exceed \$3,500,000.00 from the highway fund balance at June 30, 1991, to the general fund balance."

AND FURTHER AMEND by deleting from Section 1, Title III-26 of the bill, as introduced, Item 1.18 in its entirety and by substituting a new Item 1.18 and by adjusting the totals accordingly:

"1.18 Air, Water and Rail Transportation 11,600,000.00"

AND FURTHER AMEND by deleting from Section 11 of the bill, as introduced, Item 1 in its entirety and by substituting a new Item 1 to read:

"Item 1. The appropriation in Section 1, Title III-9, Item 2.1(a) in the amount of \$1,145,767,700.00 for the Basic Education Program is hereby appropriated for the purpose of implementing the provisions of Senate Bill No. 1231/House Bill No. 752 if the bill becomes a law."

AND FURTHER AMEND by deleting from Section 11 of the bill, as introduced, in Item 3 the words and figure "sixty percent (60%)" and by substituting instead the words and figure "forty

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five percent (45%)".

AND FURTHER AMEND by deleting from Section 29 of the bill, as introduced, Items 14, 15 and 16 in their entirety and by renumbering the subsequent items.

AND FURTHER AMEND by deleting from Section 30 of the bill, as introduced, the last two paragraphs in their entirety which read:

"Employees in the state service, including those at the top step of their salary range or above, shall receive salary increases in accordance with a salary policy determined by the Commissioner of Personnel and the Commissioner of Finance and Administration with review and comment by the Joint Finance, Ways and Means Committee prior to implementation.

To provide for said salary policy the appropriations made in Sections 1 and 4 of this act for employee salary improvements shall be subject to reallocation and transfer by the Commissioner of Finance and Administration. The authority to reallocate funds includes the authority to transfer within and between departments and agencies. Federal aid funds and other departmental revenues shall be adjusted accordingly to reflect the transfer of state appropriations."

AND FURTHER AMEND by deleting from Section 41 of the bill, as introduced, Items 15 and 17 in their entirety and by renumbering the subsequent items.

AND FURTHER AMEND by adding to Section 41 of the bill, as introduced, the following new items to read:

"Item _____. From the proceeds of the sale of property to the Metropolitan Nashville Airport Authority and any associated revenues received from the Authority, there is hereby appropriated a sum sufficient for the statewide master plan study of mental health and mental retardation facilities and for a statewide food service planning project. This appropriation is subject to approval by the Commissioner of Finance and Administration.

Item _____. From the funds appropriated to the Department of Human Services for the Aid to Families with Dependent Children (AFDC) Program, the Department of Human Services shall provide AFDC grants at amounts equal to forty-three and one-half percent (43.5%) of the adjusted AFDC standard of need."

AND FURTHER AMEND by deleting from Section 48, Item 7 (h) of the bill, as introduced, the figure "\$7,500,000.00" and by substituting instead the figure "\$5,500,000.00".

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AND FURTHER AMEND by deleting in its entirety Section 49 of the bill, as introduced, and by renumbering the subsequent sections.

AND FURTHER AMEND by adding a new Section to read:

"SECTION _____. The appropriations in Section 1 of this act are hereby reduced in the amount of \$818,487,300.00 as reflected in the schedule, "Reconciliation Assuming No New Taxes 1991-92," prepared by the Department of Finance and Administration and dated May 20, 1991.

The appropriations in Section 1 of this act are further reduced in the amount of \$525,000.00 to reflect the deletion of funding for the twenty-third year of longevity pay for state employees.

Where department wide reductions are shown on the schedule, the department or agency head shall allocate the reductions to individual programs and organizational units and submit the allocations to the Commissioner of Finance and Administration in a timely manner. The Commissioner is further authorized to allocate the OIR reduction of \$200,000.00 to the use of agencies and departments.

The appropriations in Section 4 of this act shall be adjusted by the Commissioner of Finance and Administration to reflect the reductions made in Section 1."

AND FURTHER AMEND by adding the following new items at the end of Section 12, as introduced:

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated a sum sufficient for the purpose of implementing Senate Bill No. 1331/House Bill No. 1407, relative to employment classification of state employees, if such bill becomes a law.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated a sum sufficient not to exceed four hundred thirty-six thousand two hundred dollars (\$436,200) for the purpose of implementing Senate Bill No. 1428/House Bill No. 1361, relative to payments for appointed counsel in termination of parental rights and in dependent and neglect cases, if such bill becomes a law. These funds shall be derived from excess funds from the fee increase in appellate court clerks fees authorized by Senate Bill No. 1292/House Bill No. 1094, if such bill becomes a law.

AND FURTHER AMEND by adding to Section 41 of the bill, as introduced, a new item to read:

Item _____. To the extent that there are unexpended

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balances of appropriations made for the benefit of the Institute for African and Caribbean Affairs, said balances are hereby transferred from Tennessee State University to the Institute and are hereby reappropriated to be expended in the 1991-92 fiscal year and such appropriations shall be carried forward in a reserve into the fiscal year beginning July 1, 1991. This appropriation is subject to approval by the Commissioner of Finance and Administration.

AND FURTHER AMEND by adding to Section 43 of the bill, as introduced, a new item to read:

Item _____. The appropriation made in Chapter 1085, Public Acts of 1990, in Section 10, Item 27, is amended by adding the words "an amount not to exceed" immediately preceding the words and figures "five hundred thousand dollars (\$500,000.00)".

AND FURTHER AMEND by adding the following new section:

Section _____. Notwithstanding any provision of this act to the contrary, it is the legislative intent that any reductions in state appropriations provided by this act from those amounts shown as originally introduced in Section 1, Title I, shall be deemed to be amounts to be reverted to the general fund at June 30, 1992, and shall not be deemed to be reductions in spending authority. Nothing contained in this item shall be construed as authorizing any increases in salaries except as may be otherwise permitted by other provisions of this act.

AND FURTHER AMEND by adding to Section 12 of the bill, as introduced, the following new item:

Item _____. Subject to the passage of Senate Bill No. 1388/ House Bill No. 1264, there is hereby appropriated a sum sufficient to the Department of Safety to issue new motor vehicle registration plates. This appropriation is subject to approval by the Commissioner of Finance and Administration.

AND FURTHER AMEND by adding the following new items at the end of Section 10, as introduced:

Item _____. Any funds appropriated by this act for the Retired Senior Volunteer Program (RSVP) shall be administered through the Department of Human Services rather than through the Commission on Aging and the Commissioner of Finance and Administration is hereby authorized to transfer any such funds from the budget of the Commission on Aging to the budget of the Department of Human Services.

Item _____. Subject to the concurrence of the commissioner of the department of finance and

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administration, the secretary of state is authorized to develop and implement a system whereby the cost of services rendered to other departments, boards and commissions by the administrative procedures division of the department of state is recovered from those departments, boards and commissions to whom services are rendered.

Item _____. All expenditures by the Health Facilities Commission shall be exclusively from fees or revenue generated from the operations of the commission and to the extent that any appropriation under this act exceeds the amount of fees or revenue collected, the appropriation is reduced accordingly.

Item _____. From the funds appropriated to the district attorneys general by the provisions of this act for funding legislation which creates additional assistant district attorneys and/or criminal investigators, there is hereby transferred to the district public defenders a sum sufficient to implement the provisions of Tennessee Code Annotated, Section 8-14-202(d), relative to staffing for offices of the district public defenders.

AND FURTHER AMEND by adding the following new items at the end of Section 12, as introduced:

Item _____. The employer contributions appropriated to the Tennessee Consolidated Retirement System by this act are hereby reduced by \$261,000.

In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$261,000 for the purpose of implementing the provisions of SB 731 / HB 912 to extend 3.6% indexing to June 30, 1992. This item is subject to SB 731 / HB 912 becoming law.

AND FURTHER AMEND by adding the following new items at the end of Section 41, as introduced:

Item _____. The appropriation made under Chapter 1085, Public Acts of 1990, in Section 47, Item 4, to Bledsoe County for construction of an industrial building is hereby reappropriated to Bledsoe County for general government purposes as designated by the County Executive in a plan to be submitted to the Commissioner of Finance and Administration.

Item _____. Funds in the amount of three hundred fifty thousand dollars (\$350,000) appropriated under the provisions of (a) Chapter 1037, Public Acts of 1988, in Section 12, Item 101; (b) Chapter 563, Public Acts of 1989, in Section 1, Title III-8; (c) Chapter 1085, Public Acts of 1990, in Section 1, Title III-8; and (d) Chapter 1085, Public Acts of 1990, in Section 12, Item 256; all for the purpose of making grants to the "Local Neighborhood

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Development Corporations" of the thirty-third senatorial district in Memphis are hereby reappropriated for the following purposes:

(1) The sum of two hundred fifty thousand dollars (\$250,000) to the Department of Economic and Community Development, Office of Business Enterprise, for the sole purpose of making a grant in such amount to the Southern Cooperative Development Fund, Inc., Memphis Regional Office, in order to further economic development in Tennessee by administering loan programs for rural enterprises, low income cooperatives, and minority owned businesses; and

(2) The sum of one hundred thousand dollars (\$100,000) to the Department of Economic and Community Development for the sole purpose of making a grant in such amount to the Memphis Minority Business Development Center to provide management services and technical services to minority entrepreneurs [sic].

Any unexpended balance of this appropriation shall not revert to the general fund balance at June 30, 1991, and shall be carried forward in a reserve into the fiscal year beginning July 1, 1991, to be available for expenditure as provided within this item. This appropriation is subject to approval by the Commissioner of Finance and Administration.

Rep. DeBerry moved the previous question, which motion failed by the following vote:

Ayes.	45
Noes.	50
Present and not voting.	1

Representatives voting aye were: Armstrong, Arriola, Bell, Bivens, Bragg, Buck, Clark, Collier, Crain, Cross, Curlee, Davidson, Davis (Gibson), DeBerry, Dixon, Ferguson, Garrett, Givens, Head, Herron, Hillis, Holt, Johnson, Jones R (Shelby), Jones U (Shelby), King, Knight, Love, Moore, Napier, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Hamilton), Turner (Shelby), West, Windle, Winningham, Wix, Mr. Speaker Naifeh -- 45.

Representatives voting no were: Allen, Anderson, Bittle, Byrd, Callicott, Chiles, Chumney, Coffey, Cole, Copeland, Davis (Cocke), Davis (Knox), Duer, Fowlkes, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Hill, Holcomb, Hubbard, Huskey, Joyce, Kent, Liles, McAfee, McDaniel, McKee, Meyer, Niceley, Nuber, Odom, Peroulas Draper, Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Venable, Walley, Whitson, Williams (Shelby), Williams (Union), Wood -- 50.

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Representatives present and not voting were: Kernell -- 1.

Rep. U. Jones moved the previous question, which motion failed by the following vote:

Ayes.	48
Noes.	45
Present and not voting.	1

Representatives voting aye were: Armstrong, Arriola, Bell, Bivens, Bragg, Buck, Byrd, Chumney, Collier, Crain, Cross, Curlee, Davidson, Davis (Gibson), DeBerry, Dixon, Ferguson, Garrett, Givens, Head, Herron, Hillis, Holt, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Kisber, Knight, Love, Moore, Napier, Phillips, Pinion, Pruitt, Purcell, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Turner (Shelby), West, Windle, Winningham, Wix, Mr. Speaker Naifeh -- 48.

Representatives voting no were: Allen, Anderson, Bittle, Callicott, Chiles, Coffey, Cole, Copeland, Davis (Cocke), Davis (Knox), Duer, Fowlkes, Haley, Halteman, Harrill, Hassell, Haun, Hill, Holcomb, Hubbard, Joyce, Kent, Liles, McAfee, McDaniel, McKee, Meyer, Niceley, Nuber, Odom, Peroulas Draper, Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Venable, Walley, Whitson, Williams (Shelby), Williams (Union), Wood -- 45.

Representatives present and not voting were: Kernell -- 1.

Rep. Davis (Gibson) moved the previous question, which motion prevailed.

On motion, Amendment No. 2 was adopted by the following vote:

Ayes.	51
Noes.	47

Representatives voting aye were: Armstrong, Arriola, Bell, Bivens, Bragg, Buck, Byrd, Chumney, Clark, Collier, Crain, Cross, Curlee, Davidson, Davis (Gibson), DeBerry, Dixon, Ferguson, Fowlkes, Garrett, Givens, Hargrove, Head, Herron, Hillis, Holt, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Kernell, King, Kisber, Knight, Love, Napier, Phillips, Pinion, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Turner (Hamilton), Turner (Shelby), Windle, Winningham, Wix, Mr. Speaker Naifeh -- 51.

Representatives voting no were: Allen, Anderson, Bittle, Callicott, Chiles, Coffey, Cole, Copeland, Davis (Cocke), Davis (Knox), Duer, Gunnels, Haley, Halteman, Harrill, Hassell, Haun, Hill, Holcomb, Hubbard, Huskey, Joyce, Kent, Liles, McAfee, McDaniel, McKee, Meyer, Moore, Niceley, Nuber, Odom, Peroulas Draper, Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Wood -- 47.

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REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from no to aye on the motion to adopt Amendment No. 2 to House Bill No. 1522 and have this statement entered in the Journal.

Rep. Mary Pruitt

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from no to aye on the motion to adopt Amendment No. 2 to House Bill No. 1522 and have this statement entered in the Journal.

Rep. Calvin Moore

REGULAR CALENDAR, CONTINUED

Rep. Davis (Knox) moved to amend as follows:

Amendment No. 3

Amend House Bill No. 1522 by adding the following new section to be appropriately numbered and to read as follows:

Section _____. The appropriation for each entity in Section 1 of this Act, Items 1-24, shall be adjusted to the 1990-91 recurring spending level requirement. "Spending level" means recurring appropriations less reversions.

Rep. Purcell moved that Amendment No. 3 be tabled, which motion prevailed by the following vote:

Ayes.	55
Noes.	44

Representatives voting aye were: Armstrong, Arriola, Bell, Bivens, Bragg, Buck, Byrd, Chumney, Clark, Collier, Crain, Cross, Curlee, Davidson, Davis (Gibson), DeBerry, Dixon, Ferguson, Fowlkes, Garrett, Givens, Hargrove, Head, Herron, Hillis, Holt, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Kernell, King, Kisber, Knight, Love, Moore, Napier, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Tindell, Turner (Hamilton), Turner (Shelby), West, Windle, Winningham, Wix, Mr. Speaker Naifeh -- 55.

Representatives voting no were: Allen, Anderson, Bittle, Callicott, Chiles, Coffey, Cole, Copeland, Davis (Cocke), Davis (Knox), Duer, Gunnels, Haley, Halteman, Harrill, Hassell, Haun, Hill, Holcomb, Hubbard, Huskey, Joyce, Kent, Liles, McAfee,

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McDaniel, McKee, Meyer, Niceley, Nuber, Odom, Peroulas Draper, Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tullos, Venable, Walley, Whitson, Williams (Shelby), Williams (Union), Wood
-- 44.

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from no to aye on the motion to table Amendment No. 3 to House Bill No. 1522 and have this statement entered in the Journal.

Rep. Matt Kisber

REGULAR CALENDAR, CONTINUED

Rep. Copeland moved that Amendment No. 4 be withdrawn, which motion prevailed.

Rep. Copeland moved to amend as follows:

Amendment No. 5

Amend House Bill No. 1522 by adding the following new item at the end of Section 12:

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifty thousand dollars (\$50,000) to the Tennessee Arts Commission for the sole purpose of making a grant in such amount to Fisk University for the purpose of displaying African-American Art in the Van Vechten Gallery.

On motion, Amendment No. 5 was adopted, with Rep. Coffey requesting to be recorded as voting no.

Rep. Gunnels moved to amend as follows:

Amendment No. 6

Amend House Bill No. 1522 by adding the following new item at the end of Section 10:

Item _____. Notwithstanding any provision of this act to the contrary, from the funds in the Revenue Fluctuation Reserve there is appropriated a sum sufficient to fully restore funding for the police officers and fire fighters pay supplements.

Rep. Purcell moved that Amendment No. 6 be tabled, which motion prevailed by the following vote:

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Ayes.	55
Noes.	40

Representatives voting aye were: Armstrong, Arriola, Bell, Bivens, Bragg, Buck, Byrd, Callicott, Chumney, Clark, Collier, Crain, Cross, Curlee, Davidson, Davis (Gibson), DeBerry, Dixon, Ferguson, Fowlkes, Givens, Head, Herron, Hillis, Holcomb, Holt, Johnson, Jones R (Shelby), Kernell, King, Kisber, Knight, Love, Moore, Napier, Odom, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Severance, Shirley, Tindell, Turner (Hamilton), Turner (Shelby), West, Williams (Shelby), Winningham, Mr. Speaker Naifeh -- 55.

Representatives voting no were: Allen, Anderson, Bittle, Chiles, Coffey, Cole, Copeland, Davis (Cocke), Davis (Knox), Duer, Gunnels, Halteman, Hargrove, Harrill, Hassell, Haun, Hill, Hubbard, Huskey, Jackson, Jones U (Shelby), Joyce, Kent, McAfee, McDaniel, McKee, Meyer, Niceley, Nuber, Peroulas, Draper, Robinson (Washington), Sipes, Stamps, Tullios, Venable, Walley, Whitson, Williams (Union), Windle, Wood -- 40.

Thereupon, Rep. Bragg moved that House Bill No. 1522, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	56
Noes.	42

Representatives voting aye were: Armstrong, Arriola, Bell, Bivens, Bragg, Buck, Byrd, Chumney, Clark, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Gibson), DeBerry, Dixon, Ferguson, Fowlkes, Givens, Hargrove, Head, Herron, Hillis, Holt, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Kernell, King, Kisber, Knight, Love, Moore, Napier, Odom, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Tindell, Turner (Hamilton), Turner (Shelby), West, Windle, Winningham, Wix, Mr. Speaker Naifeh -- 56.

Representatives voting no were: Allen, Anderson, Bittle, Callicott, Chiles, Coffey, Cole, Davis (Cocke), Davis (Knox), Duer, Gunnels, Haley, Halteman, Harrill, Hassell, Haun, Hill, Holcomb, Hubbard, Huskey, Joyce, Kent, Liles, McAfee, McDaniel, McKee, Meyer, Niceley, Nuber, Peroulas, Draper, Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tullios, Venable, Walley, Whitson, Williams (Shelby), Williams (Union), Wood -- 42.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. Chiles moved that all congratulatory and memorializing resolutions lying on the Clerk's desk be placed on a Special Consent Calendar, which motion prevailed.

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REGULAR CALENDAR, CONTINUED

***House Bill No. 1523** -- Bond Issues -- Authorizes \$286 million bond issue for certain purposes.

Rep. Purcell moved that House Bill No. 1523 be passed on third and final consideration.

Rep. Purcell moved to amend as follows:

Amendment No. 1

AMEND House Bill No. 1523 by deleting from Section 1 of the bill the words and figures "two hundred eighty-six million dollars (\$286,000,000.00)" and by substituting instead the words and figures "two hundred forty-three million, five hundred thousand dollars (\$243,500,000.00)".

AND FURTHER AMEND by deleting from Section 4, item (3) of the bill the words and figures "Twenty-three million, six hundred thousand dollars (\$23,600,000.00)" and by substituting instead the words and figures "seventeen million, five hundred thousand dollars (\$17,500,000.00)".

AND FURTHER AMEND by deleting in their entirety items (1), (2), (4), (5) and (7) from Section 4 of the bill and by renumbering the remaining items.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Purcell moved that **House Bill No. 1523**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	86
Noes.	12

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Haley, Halteman, Hargrove, Harrill, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Odom, Peroulas, Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Tindell, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 86.

Representatives voting no were: Davis (Knox), Gunnels, Hassell, Haun, Joyce, Niceley, Nuber, Shirley, Sipes, Stamps,

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Tullos, Williams (Union) -- 12.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

May 30, 1991

MR. SPEAKER: I am directed to return to the House, Senate Bill No. 85.

The Senate adopted the Conference Committee Report and made it the action of the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

May 30, 1991

MR. SPEAKER: I am directed to return to the House, Senate Bill No. 268.

The Senate adopted the Conference Committee Report and made it the action of the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

May 30, 1991

MR. SPEAKER: I am directed to return to the House, Senate Bill No. 633.

The Senate adopted the Conference Committee Report and made it the action of the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

May 30, 1991

MR. SPEAKER: I am directed to return to the House, House Joint Resolution No. 406; amended, and concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

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ENGROSSED BILLS

May 30, 1991

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 62, 771, 1629, 1632, 1633, 1634, 1635, 1636, 1637, 1638 and 1641; also, House Joint Resolution(s) No(s). 231 and 411; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

May 30, 1991

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 62; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

May 30, 1991

MR. SPEAKER: I am directed to return to the House, Senate Bill No. 629.

The Senate adopted the Conference Committee Report and made it the action of the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

May 30, 1991

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 303; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Senate Joint Resolution No. 0303 -- Memorials, Public Service --
Karanja A. Ajanaku. by *Person, *Dunavant, *Cohen, *Ford, *Kyle,
*Davis E, *Patten.

MESSAGE FROM THE SENATE

May 30, 1991

MR. SPEAKER: I am directed to return to the House, House

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Bill(s) No(s). 322; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

**MESSAGE FROM THE SENATE
May 30, 1991**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 519; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

**MESSAGE FROM THE SENATE
May 30, 1991**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 37, 301 and 302; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

***Senate Joint Resolution No. 0037** -- General Assembly, Studies -- Continues special legislative task force created by SJR 264 to study and evaluate implementation of black history education. by *Davis E. Womack, Crutchfield.

Senate Joint Resolution No. 0301 -- Memorials, Congratulations -- Science Hill High School. by *Crowe.

Senate Joint Resolution No. 0302 -- Memorials, Personal Achievement -- Traci Dunn, Young Woman of the Year. by *Patten.

**MESSAGE FROM THE SENATE
May 30, 1991**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 288, 290, 294, 295, 296, 297, 298 and 300; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Senate Joint Resolution No. 0288 -- Memorials, Death -- Rajiv Gandhi. by *Cohen.

Senate Joint Resolution No. 0290 -- Memorials, Public Service -- Richard and Joan George. by *Rochelle.

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Senate Joint Resolution No. 0294 -- Memorials, Recognition and Thanks -- Bakers Chapel CME Church, 100th Anniversary. by *Haynes.

Senate Joint Resolution No. 0295 -- Memorials, Interns -- Shannon Elsea. by *Cohen.

Senate Joint Resolution No. 0296 -- Memorials, Recognition and Thanks -- Fayetteville Lincoln County Appreciation Day. by *Cooper, *Cohen, *Womack.

Senate Joint Resolution No. 0297 -- Memorials, Personal Occasion -- Mazelle and William Lamb, 50th anniversary. by *Springer.

Senate Joint Resolution No. 0298 -- Memorials, Sports -- Ridgeway High School Lady Roadrunners softball team. by *Kyle, Cohen.

Senate Joint Resolution No. 0300 -- Memorials, Recognition and Thanks -- St. Cecilia Academy, Blue Ribbon Award. by *Henry.

**ENGROSSED
May 30, 1991**

The Chief Engrossing Clerk begs leave to report that we have carefully examined House Joint Resolution(s) No(s). 412 and 413; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE
May 30, 1991**

MR SPEAKER: I am directed to return to the House, House Bill(s) No(s). 867; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

**MESSAGE FROM THE SENATE
May 30, 1991**

MR SPEAKER: I am directed to return to the House, House Bill(s) No(s). 752; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

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MESSAGE FROM THE SENATE

May 30, 1991

MR. SPEAKER: I am directed to return to the House, House Joint Resolution No. 413; amended, and concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

RULES SUSPENDED

Rep. Purcell moved that all noncongratulatory resolutions lying on the desk be referred to the appropriate standing committee, which motion prevailed. Resolutions so referred follow:

***House Resolution No. 0130** -- General Assembly, Studies -- Creates study committee relative to jury selection and service. by *Chumney, *Byrd, *Williams K, *Nuber, *Tullos, *Shirley, *Jones U.

Introduced; referred by the Speaker to the Calendar and Rules Committee.

***House Resolution No. 0131** -- General Assembly, Studies -- Creates committee to study proprietary schools. by *Dixon, *DeBerry, *Jones U.

Introduced; referred by the Speaker to the Calendar and Rules Committee.

***House Joint Resolution No. 0409** -- General Assembly, Studies -- Creates joint committee to study organ transplants in children and ethical and legal questions concerning use of advanced medical technology. by *Herron.

Introduced; referred by the Speaker to the Calendar and Rules Committee.

***House Joint Resolution No. 0418** -- General Assembly, Studies -- Creates special joint committee to perform comprehensive study of workers' compensation. by *Chiles, *Purcell.

Introduced; referred by the Speaker to the Calendar and Rules Committee.

***House Joint Resolution No. 0424** -- Constitutional Amendments -- Proposes amendment to place limits on sales tax increases. by *Kernell.

Introduced; referred by the Speaker to the Finance, Ways and Means Committee.

***Senate Joint Resolution No. 0037** -- General Assembly, Studies -- Continues special legislative task force created by SJR 264 to study and evaluate implementation of black history education.

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Referred by the Speaker to the Calendar and Rules Committee.

***Senate Joint Resolution No. 0226 --** Memorials, Congress -- Urges constitutional amendment to establish presidential line item veto authority.

Referred by the Speaker to the Calendar and Rules Committee.

Senate Joint Resolution No. 0239 -- Memorials, Government Officials -- Urges youth baseball organizations to adopt stronger safety measures.

Referred by the Speaker to the Health and Human Resources Committee.

Senate Joint Resolution No. 0276 -- General Assembly, Proclamations -- Ralph McDonald Day, May 19, 1991.

Referred by the Speaker to the Calendar and Rules Committee.

Senate Joint Resolution No. 0278 -- Naming and Designating -- Bill of Rights Day.

Referred by the Speaker to the Calendar and Rules Committee.

SPECIAL CONSENT CALENDAR

House Resolution No. 0132 -- Memorials, Retirement -- Fred Phillips. by *Whitson, *Allen, *Robinson Ruth.

Introduced; placed on special consent calendar.

House Joint Resolution No. 0417 -- Memorials, Personal Achievement -- Robert Allen, Ph.D. in philosophy. by *Ridgeway, *Herron.

Introduced; placed on special consent calendar.

House Joint Resolution No. 0419 -- Memorials, Sports -- Upperman High School baseball team. by *Hargrove.

Introduced; placed on special consent calendar.

House Joint Resolution No. 0420 -- Memorials, Sports -- Dresden High School girls' softball team. by *Herron.

Introduced; placed on special consent calendar.

House Joint Resolution No. 0421 -- Memorials, Recognition and Thanks -- John Allen Moon. by *Herron.

Introduced; placed on special consent calendar.

House Joint Resolution No. 0422 -- Memorials, Sports -- Dresden Junior High School Lady Lions basketball team. by *Herron.

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Introduced; placed on special consent calendar.

House Joint Resolution No. 0423 -- Memorials, Recognition and Thanks -- Marea Herrington, House Conservation and Environment Committee. by *Odom.

Introduced; placed on special consent calendar.

Senate Joint Resolution No. 0288 -- Memorials, Death -- Rajiv Gandhi.

Placed on special consent calendar.

Senate Joint Resolution No. 0290 -- Memorials, Public Service -- Richard and Joan George.

Placed on special consent calendar.

Senate Joint Resolution No. 0294 -- Memorials, Recognition and Thanks -- Bakers Chapel CME Church, 100th Anniversary.

Placed on special consent calendar.

Senate Joint Resolution No. 0295 -- Memorials, Interns -- Shannon Elsea.

Placed on special consent calendar.

Senate Joint Resolution No. 0296 -- Memorials, Recognition and Thanks -- Fayetteville Lincoln County Appreciation Day.

Placed on special consent calendar.

Senate Joint Resolution No. 0297 -- Memorials, Personal Occasion -- Mazelle and William Lamb, 50th anniversary.

Placed on special consent calendar.

Senate Joint Resolution No. 0298 -- Memorials, Sports -- Ridgeway High School Lady Roadrunners softball team.

Placed on special consent calendar.

Senate Joint Resolution No. 0300 -- Memorials, Recognition and Thanks -- St. Cecilia Academy, Blue Ribbon Award.

Placed on special consent calendar.

Senate Joint Resolution No. 0301 -- Memorials, Congratulations -- Science Hill High School.

Placed on special consent calendar.

Senate Joint Resolution No. 0302 -- Memorials, Personal Achievement -- Traci Dunn, Young Woman of the Year.

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Placed on special consent calendar.

Senate Joint Resolution No. 0303 -- Memorials, Public Service --
Karanja A. Ajanaku.

Placed on special consent calendar.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Special Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes.	97
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. Hillis moved to suspend Rule No. 59 to take up all Senate Messages on the desk, which motion prevailed.

RECESS MOTION

Mr. Speaker Naifeh announced that the House would stand in recess for fifteen (15) minutes.

RECESS EXPIRED

The recess having expired, the House was called to order by Mr. Speaker Naifeh.

On motion of Rep. Chiles, the roll call was dispensed with.

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UNFINISHED BUSINESS

MESSAGE CALENDAR

HOUSE ACTION ON SENATE AMENDMENTS

***House Bill No. 0322** -- Health -- Extends from thirty to sixty days time period for notification of address change to health related boards. Amends TCA, Titles 56, 63, 68.

Senate Amendment No. 2

Amend House Bill No. 322 by deleting all language following the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 68-53-111(e) is amended by adding a new subdivision, as follows:

() In addition to any other applications, the financial responsibility limits set forth in this subsection shall also apply to occurrences involving local government agencies which were discovered after April 11, 1990, the date of final legislative action on Chapter 1012 of the Public Acts of 1990, but before April 30, 1990, the date of gubernatorial approval of Chapter 1012.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

Rep. Davis (Gibson) moved that the House concur in Senate Amendment(s) No(s). 2 to **House Bill No. 322**.

Rep. Copeland moved to substitute the motion to concur with the motion to nonconcur, which motion prevailed by the following vote:

Ayes.	50
Noes.	41
Present and not voting.	3

Representatives voting aye were: Allen, Anderson, Arriola, Bittle, Bragg, Callicott, Chiles, Coffey, Collier, Copeland, Cross, Davidson, Davis (Cocke), Davis (Knox), Duer, Gunnels, Haley, Halteman, Hargrove, Harrill, Haun, Head, Holcomb, Hubbard, Huskey, Joyce, Liles, Love, McAfee, Niceley, Nuber, Odom, Peroulas Draper, Rigsby, Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Venable, West, Whitson, Williams (Shelby), Williams (Union), Wix, Wood -- 50.

Representatives voting no were: Bell, Buck, Byrd, Clark, Cole, Crain, Curlee, Davis (Gibson), Dixon, Ferguson, Givens, Hassell, Herron, Hill, Hillis, Holt, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Kent, Kernell, King, Kisber, Knight,

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McDaniel, McKee, Meyer, Moore, Napier, Phillips, Pinion, Pruitt, Purcell, Ridgeway, Rinks, Robinson (Davidson), Walley, Windle, Winningham, Mr. Speaker Naifeh -- 41.

Representatives present and not voting were: Bivens, Chumney, Fowlkes -- 3.

Rep. McAfee moved the previous question, which motion prevailed.

Rep. Davis (Gibson) moved that House Bill No. 322 be reset to the Message Calendar for Tuesday, June 18, 1991, which motion prevailed.

House Joint Resolution No. 0413 -- General Assembly, Adjournment, Recess -- Provides for recess on May 30 and reconvene on June 18, 1991.

Senate Amendment No. 1

Amend House Joint Resolution No. 413 by deleting all language following the resolving clause and substituting instead the following new language:

That the Ninety-Seventh General Assembly stand in recess at the close of business in both houses on Thursday, May 30, 1991, and reconvene on Tuesday, June 18, 1991, at 2:00 p.m. (CST).

BE IT FURTHER RESOLVED, That the 1991 session of the Ninety-Seventh General Assembly be adjourned at the close of business in both houses on Thursday, June 20, 1991, and that the 1992 session of the Ninety-Seventh General Assembly be convened at 12:00 noon (CST) on Tuesday, January 14, 1992.

Rep. Purcell moved that the House concur in Senate Amendment(s) No(s). 1 to **House Joint Resolution No. 413**.

Rep. Davis (Knox) moved to substitute the motion to concur with the motion to nonconcur, which motion died for lack of a second.

Rep. Herron moved the previous question, which motion prevailed.

Rep. Purcell renewed the motion to concur in Senate Amendment No. 1 to House Bill No. 413, which motion prevailed by the following vote:

Ayes.	60
Noes.	33

Representatives voting aye were: Armstrong, Arriola, Bell, Bivens, Bragg, Buck, Byrd, Chiles, Clark, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Gibson), DeBerry, Dixon, Ferguson,

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Fowlkes, Givens, Halteman, Herron, Hillis, Holt, Hubbard, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Kent, Kernell, King, Kisber, Knight, Love, Moore, Napier, Nuber, Odom, Phillips, Pinion, Pruitt, Purcell, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Severance, Tindell, Turner (Hamilton), Turner (Shelby), West, Whitson, Williams (Shelby), Windle, Winningham, Wix, Mr. Speaker Naifeh -- 60.

Representatives voting no were: Allen, Anderson, Bittle, Callicott, Coffey, Copeland, Davis (Cocke), Davis (Knox), Duer, Gunnels, Harrill, Hassell, Haun, Hill, Holcomb, Huskey, Joyce, Liles, McAfee, McDaniel, McKee, Meyer, Niceley, Peroulas Draper, Robinson (Washington), Shirley, Sipes, Stamps, Tullos, Venable, Walley, Williams (Union), Wood -- 33.

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE MESSAGE

***Senate Bill No. 0629** -- County Government -- Enacts "Charter Government Unification Act". Amends TCA, Title 7.

**CONFERENCE COMMITTEE REPORT
ON SENATE BILL NO. 629/HOUSE BILL NO. 1161**

The House and Senate Conference Committees appointed pursuant to motions to resolve the differences between the two houses on Senate Bill No. 629 (House Bill No. 1161) have met and recommended removal of House Amendment No. 2. The recommendation passed with unanimous approval.

Senator Ben Atchley
Senator Carl Koella
Senator Bud Gilbert

Representative Charles Severance
Representative Joe Armstrong
Representative Harry J. Tindell

Rep. Armstrong moved the previous question, which motion prevailed.

Rep. Severance moved that the Report of the Conference Committee on Senate Bill No. 629 be adopted and made the action of the House, which motion prevailed by the following vote:

Ayes.	83
Noes.	7
Present and not voting.	5

Representatives voting aye were: Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Haley, Halteman, Harrill, Hassell, Haun, Head, Herron, Hill,

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Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Severance, Shirley, Tindell, Tullis, Turner (Hamilton), Turner (Shelby), Walley, West, Whitson, Williams (Shelby), Windle, Winningham, Wood -- 83.

Representatives voting no were: Davis (Knox), Hargrove, Niceley, Stamps, Venable, Williams (Union), Wix -- 7.

Representatives present and not voting were: Allen, Gunnels, Robinson (Washington), Sipes, Mr. Speaker Naifeh -- 5.

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE AMENDMENTS

***House Bill No. 0519** -- Aircraft and Airports -- Allows number and terms of certain airport authority commissioners to be varied by private act. Amends TCA, Title 42.

Senate Amendment No. 4

Amend House Bill No. 519 by inserting the following language as new, appropriately numbered sections immediately preceding the final section and by renumbering the final section accordingly:

SECTION _____. Tennessee Code Annotated, Title 42, Chapter 1, as amended by Section 2 of Chapter No. 212 of the Public Acts of 1991, is further amended by deleting the following language:

"Commercial helicopter touring" does not include temporary helicopter services when such services are provided by charter, are not offered to the general public and are not offered to any person on a regular schedule.

SECTION _____. Tennessee Code Annotated, Title 42, Chapter 1, as amended by Chapter No. 212 of the Public Acts of 1991, is further amended by deleting the language in Section 4 in its entirety and substituting instead the following new language:

Violation of this act shall constitute a nuisance and shall be subject to abatement as provided in Title 29, Chapter 3.

SECTION _____. If any provision of this act or the application thereof to any person or circumstance is held

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invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

Rep. Davidson moved that the House concur in Senate Amendment(s) No(s). 4 to **House Bill No. 519**, which motion prevailed by the following vote:

Ayes.	94
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

***House Bill No. 0062 -- Veterans --** Authorizes issuance of special plates for military personnel evading capture. Amends TCA, Title 55, Ch. 4, Pt. 2.

Senate Amendment No. 2

Amend House Bill No. 62 by adding the following language as a new, appropriately numbered section immediately preceding the effective date section:

Section _____. Tennessee Code Annotated, Section 55-4-201(b), is amended by adding the following language as a new subdivision (3):

(3) The provisions of this subsection shall not apply to plates issued for "evadees" as provided in §55-4-242.

Rep. Hillis moved that the House nonconcur in Senate Amendment(s) No(s). 2 to **House Bill No. 62**, which motion prevailed.

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***House Bill No. 0752** -- Education -- Enacts "Education Improvement Act of 1991". Amends TCA, Titles 8, 49.

Rep. Purcell moved that House Bill No. 752 be reset to the Message Calendar for Tuesday, June 18, 1991.

Rep. Chiles requested that members who wish to have copies of the Amendments to House Bill No. 752 mailed to them should respond accordingly. The Clerk's office was directed to mail amendments to these members.

MOTION

Pursuant to Rule No. 53, the following recall motion was filed and announced by the Clerk:

Mr. Speaker: Pursuant to Rule 53, I hereby move that House Bill 476 be recalled from the Committee on State and Local Government and the Subcommittee on Elections and that House Bill 476 shall be placed at the top of the calendar on the next day on which general bills are considered.

David Copeland

HOUSE ACTION ON SENATE MESSAGE

***Senate Bill No. 0278** -- Sewage -- Revises dates for certain types of subsurface sewage disposal system permits. Amends TCA, Title 68, Ch. 13, Pt. 4.

**CONFERENCE COMMITTEE REPORT
ON SENATE BILL NO. 278/HOUSE BILL NO. 472**

The House and Senate Conference Committee appointed pursuant to motions to resolve the differences between the two houses on Senate Bill No. 278 (House Bill No. 472) has met and recommends that all House and Senate Amendments previously adopted be deleted.

The Committee further recommends that the following amendment be adopted:

AMEND by deleting the language following the enacting clause in its entirety and by substituting instead the following:

Section 1. Tennessee Code Annotated, Section 68-13-403(d)(4), is amended by deleting the period "." at the end of the subdivision and by substituting instead the following language and punctuation:

, or to subdivisions approved by the commissioner prior to July 1, 1990.

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Section 2. Tennessee Code Annotated, Section 68-13-403, is amended by adding the following as a new subsection:

()

(1) Permits for the construction of subsurface sewage disposal systems shall be issued for lots which were approved by the local health authority or the commissioner prior to July 1, 1990.

Such permits shall authorize the construction of a system pursuant to statutes, rules, and regulations in effect on June 30, 1990.

(2) Permits shall be issued for the repair of any system in existence prior to July 1, 1990, pursuant to statutes, rules, and regulations in effect on June 30, 1990.

Section 3. Tennessee Code Annotated, Section 68-13-403(j), is amended by deleting the last sentence in its entirety.

Section 4. This act shall take effect upon becoming a law, the public welfare requiring it.

Respectfully submitted this 23rd day of May, 1991.

Representative Joe Bell
Representative Jerry Cross

Senator Rusty Crowe
Senator Randy McNally
Senator Robert Rochelle

[NOTE: Representative Charles Severance was a member of this conference committee but asked that the record reflect that he voted against this conference committee report and, as such, his signature does not appear on the report.]

Rep. Rhinehart moved the previous question, which motion failed by the following vote:

Ayes.	38
Noes.	45

Representatives voting aye were: Anderson, Armstrong, Arriola, Bivens, Bragg, Buck, Collier, Crain, Curlee, Davis (Cocke), Dixon, Ferguson, Garrett, Givens, Harrill, Hill, Holcomb, Holt, Hubbard, Huskey, Johnson, Kisber, McDaniel, Napier, Phillips, Pinion, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Sipes, Turner (Shelby), Venable, Winningham, Wix -- 38.

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Representatives voting no were: Bittle, Byrd, Callicott, Chumney, Clark, Coffey, Cole, Davidson, Davis (Knox), Duer, Fowlkes, Gunnels, Haley, Halteman, Hargrove, Hassell, Haun, Head, Herron, Hillis, Jackson, Jones R (Shelby), Joyce, Kent, Kernell, Knight, Liles, McKee, Meyer, Niceley, Nuber, Odom, Peroulas Draper, Severance, Shirley, Stamps, Tindell, Tullos, Turner (Hamilton), West, Whitson, Williams (Shelby), Williams (Union), Wood, Mr. Speaker Naifeh -- 45.

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from not voting to aye on the previous question on Senate Bill No. 278 and have this statement entered in the Journal.

Rep. John Mark Windle

MESSAGE CALENDAR, CONTINUED

Rep. Clark moved that the Conference Committee Report be tabled, which motion failed by the following vote:

Ayes.	43
Noes.	47
Present and not voting.	1

Representatives voting aye were: Allen, Arriola, Bittle, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Copeland, Cross, Davidson, Davis (Knox), Dixon, Duer, Fowlkes, Givens, Gunnels, Haley, Halteman, Hassell, Haun, Head, Holcomb, Hubbard, Joyce, Kernell, Knight, Liles, McDaniel, Niceley, Odom, Peroulas Draper, Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Stamps, Tullos, Turner (Hamilton), Walley, Williams (Shelby), Williams (Union) -- 43.

Representatives voting no were: Anderson, Armstrong, Bell, Bragg, Buck, Cole, Collier, Crain, Curlee, Davis (Cocke), DeBerry, Ferguson, Garrett, Hargrove, Harrill, Herron, Hill, Hillis, Holt, Huskey, Johnson, Jones R (Shelby), Jones U (Shelby), Kent, McAfee, McKee, Meyer, Moore, Napier, Nuber, Phillips, Pinion, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Tindell, Turner (Shelby), Venable, West, Whitson, Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 47.

Representatives present and not voting were: Pruitt -- 1.

Rep. Cross moved that the Report of the Conference Committee on Senate Bill No. 278 be adopted and made the action of the House, which motion failed by the following vote:

Ayes.	0
Noes.	95

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Representatives voting no were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Ridgeway, Rigsby, Rinks, Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 95.

SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 62: Rep(s). Moore as prime sponsor(s).

House Bill No. 361: Rep(s). Buck, Halteman and Pruitt as prime sponsor(s).

House Bill No. 1645: Rep(s). Love as prime sponsor(s).

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk as noted:

***Senate Bill No. 0777 -- Taxes --** Makes certain revisions to tax provisions. Amends TCA, Title 67, Chs. 2, 4, 67-6-102, 67-6-702. (HB 0868)

Held pending third consideration of companion House Bill.

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred to committee or held on the Clerk's desk as noted:

***House Bill No. 1592 -- Courts, General Sessions --** Passed second consideration and referred to the Judiciary Committee.

***House Bill No. 1593 -- County Government --** Passed second consideration and referred to the State and Local Government Committee.

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***House Bill No. 1640** -- Funeral Directors and Embalmers -- Passed second consideration and referred to the Calendar and Rules Committee.

House Bill No. 1643 -- Tipton County -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

**REPORT OF CHIEF ENGROSSING CLERK
May 30, 1991**

MR SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bill(s) No(s). 288, 312, 391, 539, 881, 963, 1026, 1594, 1601, 1602, 1608, 1610 and 1611; also, House Joint Resolution(s) No(s). 67, 177, 234, 238, 239, 240, 242, 243, 245, 246, 260, 270, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354 and 391; for his action.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

**SIGNED
May 30, 1991**

The Speaker announced that he had signed the following: Senate Bill(s) No(s). 125, 209, 220, 1063, 1079, 1123 and 1207; also, Senate Joint Resolution(s) No(s). 235 and 287.

**SIGNED
May 30, 1991**

The Speaker announced that he had signed the following: House Bill(s) No(s). 1036, 1141, 1622, 1623, 1624 and 1628; House Joint Resolution(s) No(s). 247, 248, 249, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 371, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 400, 402 and 404; also, House Resolution(s) No(s). 71, 121, 122, 123, 124, 125, 126, 127 and 128.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE
May 30, 1991**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1629, 1632, 1633, 1634, 1635, 1636, 1637 and 1638; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

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ENGROSSED BILLS
May 30, 1991

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 361; also, House Joint Resolution(s) No(s). 414, 415 and 416; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE
May 30, 1991

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1590, 1591, 1603, 1604, 1614, 1615, 1617, 1619, 1620, 1625 and 1641; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE
May 30, 1991

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 399, 401, 403, 405, 407, 408, 410 and 411; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE
May 30, 1991

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 385, 386, 387, 388, 389, 390, 392, 393, 394, 396 and 397; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE
May 30, 1991

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 231; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

THURSDAY, MAY 30, 1991 -- FIFTY-FIRST LEGISLATIVE DAY

ENGROSSED BILLS

May 30, 1991

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 1522; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

May 30, 1991

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 771; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

ENGROSSED BILLS

May 30, 1991

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 1523; also, House Joint Resolution(s) No(s). 417, 419, 420, 421, 422 and 423; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

May 30, 1991

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1522; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

May 30, 1991

MR. SPEAKER: I am directed to return to the House, House Bill No. 861.

THURSDAY, MAY 30, 1991 -- FIFTY-FIRST LEGISLATIVE DAY

The Senate adopted the Conference Committee Report and made it the action of the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

**MESSAGE FROM THE SENATE
May 30, 1991**

MR. SPEAKER: I am directed to return to the House, House Bill No. 457.

The Senate adopted the Conference Committee Report and made it the action of the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

**MESSAGE FROM THE SENATE
May 30, 1991**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 87; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Senate Joint Resolution No. 0087 -- General Assembly, Joint Conventions -- Knoxville bicentennial, October 3, 1991. by *Atchley, *Koella, *Gilbert.

**MESSAGE FROM THE SENATE
May 30, 1991**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1523; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Senate Bill No. 1523 -- Appropriations -- Authorizes growth in state appropriations which exceed rate of growth of economy for the 1991-1992 fiscal year. Amends TCA, Title 9, Ch. 6, Pt. 2. by *Darnell, *Henry, *Dunavant, Atchley.

**MESSAGE FROM THE SENATE
May 30, 1991**

MR. SPEAKER: I am directed to return to the House, House Bill No. 62.

THURSDAY, MAY 30, 1991 -- FIFTY-FIRST LEGISLATIVE DAY

The Senate lifted the tabling motion, reconsidered passage of the bill, adopted Amendment No. 8, then repassed the bill on third and final consideration, as amended.

The Senate refused to recede from its action in adopting Amendment(s) No(s). 2.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

**MESSAGE FROM THE SENATE
May 30, 1991**

MR. SPEAKER: I am directed to return to the House, Senate Bill No. 278.

The Speaker appointed a new Conference Committee composed of Senators Crowe, Rochelle and McNally to confer with a like Committee from the House to resolve the differences of the two bodies on Senate Bill No. 278.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

**MESSAGE FROM THE SENATE
May 30, 1991**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1411; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

**MESSAGE FROM THE SENATE
May 30, 1991**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 440; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

**MESSAGE FROM THE SENATE
May 30, 1991**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1407 and 1523; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

THURSDAY, MAY 30, 1991 -- FIFTY-FIRST LEGISLATIVE DAY

ENROLLED BILLS

May 30, 1991

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill(s) No(s). 457, 519, 771, 861, 1407, 1523, 1590, 1591, 1603, 1604, 1614, 1615, 1617, 1619, 1620, 1625, 1629, 1632, 1633, 1634, 1635, 1636, 1637, 1638 and 1641; House Resolution(s) No(s). 129 and 132; also, House Joint Resolution(s) No(s). 231, 385, 386, 387, 388, 389, 390, 392, 393, 394, 396, 397, 399, 401, 403, 405, 407, 408, 410, 411 and 413; and find same correctly enrolled and ready for the signature(s) of the Speaker(s).

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

May 30, 1991

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 29, 207, 309, 311, 408, 415, 489, 509, 645, 827, 894, 995, 1255 and 1358; also, Senate Joint Resolution(s) No(s). 271, 272, 274, 284, 289, 292 and 293; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

May 30, 1991

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1036, 1141, 1622, 1623, 1624 and 1628; also, House Joint Resolution(s) No(s). 247, 248, 249, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 371, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 400, 402 and 404; signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

ROLL CALL

The roll call was taken with the following results:

Present 98

Representatives present were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill,

THURSDAY, MAY 30, 1991 -- FIFTY-FIRST LEGISLATIVE DAY

Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Nuber, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 98.

On motion of Rep. Purcell, and pursuant to House Joint Resolution No. 413, the House recessed until 2:00 p.m., Tuesday, June 18, 1991.